

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

January 7-8, 1993

The Idaho Transportation Board met with Jack Coe, Division Administrator, Federal Highway Administration at the Division Office at 8:00 AM on January 7, 1993.

The regular session of the Transportation Board meeting convened at 9:35 AM in Boise, Idaho in the Transportation Building. The following people were present:

John X. Combo, Chairman - Region 1
 Leon E. Smith, Jr., Vice Chairman - Region 2
 Mike P. Mitchell, Member - Region 3
 Mary F. Detmar, Executive Assistant to the Board
 Sue S. Kaufman, Administrative Secretary to the Board
 G. Keith Green, Acting Director
 Jeff Stratten, Public Affairs Officer
 Jack T. Coe, Division Administrator - Federal Highway Administration

Representative JoAn Wood, Chairman of the House Transportation and Defense Committee, was also in attendance.

Board Meeting Dates. The following meeting dates were scheduled by the Board:

February 18-19, 1993 - Boise
 March 25-26, 1993 - Boise
 April 15-16, 1993 - District 4

Request for a New Approach, F-FG-5116(21), SH-200, District 1. Due to bad weather, Mr. Sletager was unable to travel to Boise for this item and requested it be deferred another month.

JFAC Budget Presentation. The Board members reviewed the information for their presentation to the Joint Finance and Appropriations Committee on January 28, 1993.

Alcohol/Drug Use Restriction on Restricted Driving Permits. This item was deferred to a later meeting.

Status of Various States' Compliance with Federal Drug Compliance Law. Recent Federal legislation requires states to suspend drivers' licenses of people who are convicted of violating the controlled substance act. Federal law allows states to pass a resolution by both bodies of the Legislature saying that they do not want to participate in the act, thus removing the threat of Federal Highway sanctions. The Governor of the state must also approve the resolution. The Governor of Idaho wants the State to pursue legislation to enact the Federal suspension

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requirement. He also wants the State to prepare a resolution of non-participation to have available if the enacting legislation fails.

Staff prepared a summary of other states' status on the compliance with this law. The Board reviewed this report.

Heritage Fee on the Registration Certificate. Idaho Code does not specifically require the heritage fee, or any of the other five fees ITD collects in addition to the registration fee, to show on the registration certificate or renewal card. The heritage fee is no longer included on the renewal card. Only those receiving new plates will have the heritage fee printed on their registration certificate.

Delegation - Ada Planning Association. APA Board members Kuna Mayor Dr. Greg Nelson, Boise Mayor Brent Coles, Ada County Highway District Commissioner Jim Bruce and Executive Director Clair Bowman met with the Board to discuss the guidelines for awarding Congestion, Mitigation and Air Quality (CMAQ) funds in February. Dr. Nelson asked that FY94 funds be programmed rather than setting aside that amount for a later review. He believed that, while the timeframe was short for evaluating and prioritizing projects at the local level, the process was fair for the rest of the state. He also asked that there should be flexibility in the scheduling of FY95 projects so that they could be readdressed later if necessary. Mayor Coles believed that CMAQ funds would be well spent on bikepaths to improve air quality.

The Board took the matter under advisement.

State-Administered Multiple Airport Layout Plan Projects. In recent years, timely completion of planning at general aviation airports has been hampered due to unavailability of FAA staff to administer the projects. The Northwest Mountain Region of FAA has instituted a program of issuing a grant to a state to accomplish an Airport Layout Plan update with a narrative for several airports as a single project.

This is being viewed as a potential ongoing program to include an annual project. The Division of Aeronautics requested four projects for inclusion in the initial FY93 program. These include Bonners Ferry, Kellogg, Priest River, and St. Maries airports. The project would require contracting with two consultants; one to do the planning, and the other to do an independent technical review for compliance with FAA standards. Estimated costs are \$115,000 to be contracted and \$9,500 state force account. FAA would provide 90 percent of the funds, the State, 5 percent and the four counties would provide the remaining 5 percent.

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Vice Chairman Smith made a motion to have the Aeronautics Advisory Board approve a statewide state-administered multiple airport layout plan with criteria for project selection, and if these four projects are listed and the Aeronautics Advisory Board approves the plan, they would be approved. Member Mitchell seconded the motion and it passed unopposed.

Advancement of US-95, Moctileme Creek to Plummer, ST-5110(618), Key 5374, District 1. Staff requested advancing this project from Preliminary Development to FY94 because the project can be made ready for construction quickly in an effort to help utilize the cash balance. The cost of this state-funded project is \$1,080,000.

Vice Chairman Smith made a motion to advance key 5374, Moctileme Creek to Plummer, from Preliminary Development to FY94. Member Mitchell seconded the motion and it passed unopposed.

Delaying US-95, Sheep Creek to Tensed, Key 5356, and US-95, Algoma to Sagle, Key 5357, District 1. These two projects, in the amount of \$1,020,000, would be delayed from FY94 to Preliminary Development to offset the Moctileme Creek to Plummer project. No significant financial impact to the state-funded program would result.

Without objection, the Board approved delaying keys 5356 and 5357 from FY94 to Preliminary Development.

Intersection Improvement of US-20/26 at Cloverdale Road, ST-3280(602), Key 5454, City of Boise, District 3. Ada County Highway District and ITD staff are requesting participation in the cost of an intersection improvement and traffic signal installation project at the intersection of US-20/26 (Chinden Boulevard) and Cloverdale Road as a state-funded project in FY93. A traffic signal is warranted at this location.

The project could be advertised in June of 1993 and constructed in July and August. ACHD would design the project and administer the contract. The total cost of the project is estimated at \$210,000 with ITD's share being \$60,000 or 29% of the total cost.

Vice Chairman Smith made a motion to approve the state-funded intersection improvement project at US-20/26 and Cloverdale Road in the amount of \$60,000 for FY93. Member Mitchell seconded the motion and it passed unanimously.

Supplemental Agreement, Wilson Drain to Karcher Jct., NH-F-M-7963(021), Key 4477, I-84B, District 3. The District is designing this project in-house and utilizing the services of consultant, McCarter, Tuller, Chronic, to provide location surveying on this project. A supplemental agreement in the

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amount of \$90,000 is now required to provide for the location of underground utilities, mapping check, centerline alignment, cross section, irrigation facilities, address right-of-way issues, and provide for a contingency for other items of work as they come up.

Without objection, the Board approved the supplemental agreement in the amount of \$90,000 for the Wilson Drain to Karcher Jct. project.

Supplemental Agreement, Weiser Alternate Route, NHS-F-3112(033), Key 0685, US-95, District 3. This project is being designed by consultant Forsgren and Associates. The project has progressed through preliminary design and public hearing and is now ready to proceed to final design.

A number of changes have been made in the scope of work since the agreement was signed in 1989. Staff is requesting a supplemental agreement in the amount of \$120,000 to address these changes prior to proceeding to final design. The changes include labor rate increases, traffic signal design, port of entry design, additional survey requirements, Monroe Creek channel changes, and alignment adjustment.

Without objection, the Board approved a \$120,000 supplemental agreement for the Weiser Alternate Route.

Quarterly Report for FY-Program Obligations. For FY93, \$13.92 million have been obligated to date.

Benefits of TRADAS Installation on Workstation. Presently, the Traffic Survey Unit is installing an Automatic Traffic Data System (TRADAS) on the Department's IBM mainframe utilizing consultant services from Chaparral Systems, Inc., of Santa Fe, New Mexico. When completed, this system will automatically call up permanently-installed traffic recorders, receive computer data from portable counters and perform daily processing. An optical disk library system will be used to store data.

Staff requested amending the contract with Chaparral to install the automated traffic monitoring system to include the additional work required to purchase and install a Hewlett-Packard workstation. This would increase the present contract from \$250,000 to \$305,000.

The Board unanimously approved increasing the present contract with Chaparral Systems to \$305,000.

Approval of Concept, Administrative Policy A-19-01, Financing Construction of State Highways in Cities. Staff drafted a proposed policy to address participation in non-federal-aid local projects. A definite formula would be too difficult to establish because of variables involved, so guide-lines were prepared to follow when confronting this issue.

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The Board gave approval of concept for Administrative Policy A-19-01, and the policy may proceed through the system.

Hailey Main Street Project, ST-2390(624), Key 5323, SH-75, District 4. At the December Board meeting, Daryle James, Hailey City Administrator, requested additional state funding for this project. Cost increases were due to bad engineering estimates. The Board asked staff to review the minimum engineering standards in an effort to reduce the scope and cost of the project. The Board also told Mr. James that staff was developing a policy on state participation in non-federal-aid projects and that the Board's decision on this project would be delayed, pending the foregoing information.

Vice Chairman Smith made a motion, based on the recommendation of the District Engineer and review of the proposed policy mentioned above, to approve \$1,156,000 for the Hailey Main Street project. The City would contribute \$389,000. Member Mitchell seconded the motion and it passed unanimously.

Appreciation for Efforts to Keep Highways Open to Traffic this Winter. Member Mitchell expressed appreciation to all ITD employees for all of the work done this winter in clearing the roads and making them safe for travel. He has received numerous favorable comments on the conditions of the highways from the public. The Board members asked that a memorandum be sent to employees expressing their appreciation.

Local Highway Needs Assessment Council Document. This item was deferred to a later meeting.

Right-of-Way Use Permit #4-93-035, Project F-2371(2), Key A2381, SH-46, District 4. At the November 1992 meeting, the Board approved a request to widen and remove the usage restriction for Mr. Miles, subject to the collection of appraisal fees and adding a stipulation to the right-of-way use permit that adequate on-site parking be maintained. Staff agreed that the requested approach usage change would not increase the appraised value of the property and thus recommended no fees be assessed.

Without objection, the Board approved and signed the exchange deed.

Right-of-Way Use Permit #4-93-038, Project F-2351(1), Key A2376, US-26, District 4. Mr. Wilkins is requesting a new approach on US-26 through a partial controlled access area. The approach would serve a single family dwelling and would not significantly diminish the safety or capacity of the highway.

The Board unanimously approved the approach, subject to an appraisal and collection of the appraisal fees based on the appraised value of the approach.

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Authority to Negotiate and Acquire Land, IR-84-2(001)50, Key 2521, Parcel 11, I-84, District 3. The Board concurred with the Chief of Highway Operations' recommendation to negotiate for and acquire the parcel of land and improvements valued in excess of \$100,000.

Authority to Negotiate and Acquire Land, IR-F-5116(071), Key 4458, Parcel 144, US-95, District 1. The Board concurred with the Chief of Highway Operations' recommendation to negotiate for and acquire the parcel of land and improvements valued in excess of \$100,000.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

IM-IR-84-1(005)35, IM-IR-84-1(010)34, & IM-IR-84-1(006)37, Keys 2767, 3012, & 2768, - Franklin Road IC, Nampa Boulevard IC, and Garrity IC Signal; I-84, Canyon County, District 3. The low bid was more than ten percent over the engineer's estimate, requiring justification. Bids for three of these items indicated a significant impact on productivity because of the three spot locations involved in this work, and the difficulties in accessing the work sites due to continual involvement with interstate and ramp traffic. Also, the engineer's estimate for illumination type 2 was based on wholesale prices rather than retail prices.

The district recommended awarding this contract because it is important to get the irrigation work done while the canals are dry. Re-advertising the project would require working on irrigation while the canals are full, which would cost more. The Board affirmed the Acting Director's decision to award this contract. Low bidder: Nampa Paving & Asphalt Co., Nampa, Idaho - \$1,815,257.64.

IM-84-3(040)208, Key 5019 - Burley to Twin Bridges, I-84, Minidoka County, District 4. Low bidder: H-K Contractors, Inc., Idaho Falls, Idaho - \$1,522,309.20.

STKP-4573 & STKP-4564, Keys 4701 & 4531 - N & W Malta and East Declo, SH-77 and SH-81, Cassia County, District 4. Low bidder: Gale Lim Construction Inc., Blackfoot, Idaho - \$225,765.00.

ST-6470(609), Key 5348 - Snake River Bridge - Bannock Jim Slough, US-20, Madison County, District 6. Low bidder: Diamond Surface, Inc., Maple Grove, Minnesota - \$133,742.15.

STP-F-1551(001), STP-F-1531(013), & ST-1550(600), Keys 3518, 1479, & 5178 - Jct. SH-61 to Wyoming S.L., Geneva to Jct. SH-61, & Jct. US-89 to Wyoming S.L.; Bear Lake County, District 5. The low bid was more than ten percent over the engineer's estimate,

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requiring justification. All bidders were approximately twice the state's engineer's estimate for the granular borrow item. There are locations where the existing ballast is to be processed, removed and stockpiled then placed at designated locations throughout the project. The handling of some of the material twice and the selective placement at other locations has complicated the item and confused the estimating. The Board concurred with the District's recommendation to award this contract. Low bidder: W W Clyde & Co., Springville, UT - \$3,868,309.58.

Visit with Drivers Services Section. The Board members and Acting Director visited with employees in the Drivers Services Section. Some of the concerns included lack of working space, poor quality of breathing air, access to exercise equipment and showers, request for permanent staff rather than temporary people, a traffic light on State Street to allow safer access by employees, and how employees beyond step G can receive a salary increase.

Upon convening the regular Board meeting, members asked staff to evaluate the concern about lack of space and the possibility of using temporary quarters until Law Enforcement vacates the Headquarters building.

Variable Load Suspension Axles. As requested by the Board, staff prepared an update on lift axle requirements in the western states with information on exemptions and if the requirements are in law or regulation. The Board reviewed the summary and asked staff to verify some information, then forward the revised copy to the Senate and House Transportation Committee Chairmen.

Proposed Sand Shed Program. At its October 1992 meeting, the Board asked for information on sand shed costs, design, and priority for construction. Currently, ITD has a total of 105 sand/salt stockpiles located at strategic locations on the state highway system. Sand sheds are in place at 21 of those sites now and another 43 stockpile sites are on the latest building program for sand shed construction.

Sand sheds are justifiable at strategic maintenance sites in Idaho to increase operational efficiency, promote worker and public safety, and prevent contamination of surface and sub-surface water by deicing salts. Typical units of 7,000 square feet in size will store 4,500 to 5,000 cubic yards of material and cost from \$73,500 to \$260,000, depending on the style of building construction.

Staff has been studying building types and sizes in attempts to develop lower cost operations for sand storage. Although detailed studies have not yet been completed, it appears that the building program estimates for cost of sand sheds can be reduced somewhat below the values indicated.

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Legal Issues. The Board members discussed legal matters with Chief Legal Counsel Trabert.

Out-of-Court Settlement on Condemnation, Parcels 29 and 30, Project IR-F-3111(38), Key 2626, US-95, District 3. The Board affirmed the Chief Legal Counsel's approval on an out-of-court settlement on condemnation.

Out-of-State Travel. The Board reviewed the travel request. Member Mitchell questioned the numerous long-distance trips, especially to Washington, DC. Acting Director Green said that one specific meeting, the Transportation Research Board (TRB), always meets in the Capital, but most of the meetings rotate from state to state. He also stated that a lot of times groups pay for ITD employees to attend these meetings, and that a hard look is given to all travel requests. Acting Director Green also confirmed Chairman Combo's question that management or supervisors give approval for staff to be on national and regional committees.

Status of Snowplows and Sanders Stopping at Ports of Entries. Currently, ITD has a policy that states in the interest of safety, sanding and snow removal equipment, loaded or empty, will not be required to stop at ports of entry when responding to accumulations of snow or ice upon the public highways.

Representative Wood expressed concern with ice build-up on the scales and approaches at the Inkom and Sage Jct. ports. She said safety could be a factor. The Acting Director will investigate this issue.

WHEREUPON, the Board meeting adjourned at 4:20 PM.

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The regular Board meeting reconvened at 8:35 AM on January 8, 1993 in the Transportation Building in Boise, Idaho. All Board members were present.

December Board Minutes. The December Board minutes were approved as corrected by the Board members.

Vehicle Weight Laws and Enforcement. As requested by the Board, staff prepared a report comparing Idaho's and Washington's vehicle weight laws and enforcement. Because the weight laws in Idaho allow weights equal to or greater than the Washington laws, reasons for variations may include: during winter weather conditions, snow and ice buildup on truck bodies and running gear can add up to create considerable overweight; precipitation and

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subsequent splash and spray into loads of materials can add considerable weight to a load; some type of loads can shift, causing a decrease in weight on some axles but increasing weight on others, which could lead to a weight citation; refueling adds weight to a vehicle which could put it overweight if the weight of the vehicle was close to legal weight with low fuel supply; a difference in enforcement policy between the two states; and a difference in the accuracy of the scales.

Idaho's scales are certified twice annually by a contract vendor while Washington's scales are certified once annually by state forces.

Status of Personnel Actions. To date, 13 applicants accepted interviews for the Aeronautics Administrator position. Interviews will be conducted by the Aeronautics Advisory Board and Chief of Administration next week. The top candidates will be forwarded to the Acting Director who will communicate with Vice Chairman Smith on the applicants. A recommendation for the position should be available to the Board at the February meeting.

The Bicycle Coordinator position will be offered to Mr. John Barnes.

The position description for the Hearing Coordinator has been finalized and forwarded to the Personnel Commission for point factoring. It will then be ready for advertising.

ITD Involvement in the Oregon Trail Sesquicentennial. The activities the Department is currently undertaking in accordance with the Oregon Trail Sesquicentennial include:

1) Sign an auto tour route along paved highways that follow as closely as practical to the route of the Oregon Trail. ITD will bear the cost for sign posts, installation, and maintenance, estimated at \$10,000. The signs are to be manufactured this winter and installed next spring.

2) Coordinate efforts in preparing sites and signing routes to historical sites along the Trail.

3) Coordinate developing scripts for additional historical markers related to the Trail and updating and possibly relocating others. ITD will manufacture and install, update, or relocate the markers recommended for such action.

4) Construct a graveled turn-out and parking area below Bonneville Point that would accommodate horse trailers and autos. This project is scheduled to be advertised for contract in September 1993 as a part of the I-84 to Diversion Dam project.

Staff requested approval to install interpretive kiosks in several rest areas along I-84 and I-86. This would be a joint project with the Departments of Commerce and Parks & Recreation.

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Member Mitchell made a motion to work with Parks & Recreation, Commerce, and the Historical Society on the Oregon Trail interpretive kiosks at rest areas and appropriate sites. Vice Chairman Smith seconded the motion and it carried. Staff is also to investigate the possibility of submitting this as an enhancement project.

The Trail Committee is meeting at the Legislature January 14, 1993 for Oregon Trail Day. The Board directed staff to announce this cooperative effort. The Board members would like to hear an update on the progress of the kiosks and the total project cost at the February meeting.

Delegation - City of Moscow. City, hospital and University representatives asked the Board to hold another design public hearing for the south end of the US-95 couplet. They would like to have the SH-8 traffic heading south be able to turn left at the US-95 intersection rather than being routed by the hospital. The Board was also urged to accelerate the A Street project if funds were not utilized by other local entities.

The south end of the couplet is not on the 5-year highway development program and, as such, cannot be approved for another hearing. Both that project and the A Street project will be reviewed again in September at the annual review of all projects.

Member Mitchell urged the city to arrive at a community consensus about design of the SH-8/US-95 intersection.

Guidelines for CMAQ Projects. After considerable discussion Vice Chairman Smith made a motion to:

- maintain the current agreement with Ada Planning Association (APA), allocating 50 percent of the FY92 CMAQ funds, in the amount of \$1.781 million, to APA;
- provide a 50/50 split of the FY93 CMAQ funds, similar to the FY92 agreement, granting \$2.615 million with match to APA and \$2.615 with match to the rest of the state;
- if additional funds are released from the federal government, that amount would also be split 50/50 between Ada County and the rest of the state;
- instruct the ITD staff to reexamine all pending CMAQ applications outside of Ada County to resolve eligibility questions for possible funding in FY93;
- for planning purposes, APA can anticipate 50 percent of the FY94 funds, or \$2.7 million;
- no FY94 or FY95 projects will be considered until September when all of the programs will be reviewed.

Chairman Combo seconded the motion and it passed unopposed.

Member Mitchell expressed concern for the Boise downtown area which is a major air quality problem for Ada County.

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Consideration should be given to bike paths into the Boise city center area.

Director's Report. Acting Director Green reported that the Division of Public Transportation is on track with implementing HB779. The Committee will meet on January 15 to develop the work plan and timeframe.

The Sandpoint bypass is supposed to eliminate the downtown traffic problem. Staff is looking into the possibility of a 2-lane bypass with half interchanges only, and handling the downtown traffic problem separately. Information on the impacts and cost of this alternative will be provided to the Board when it's available.

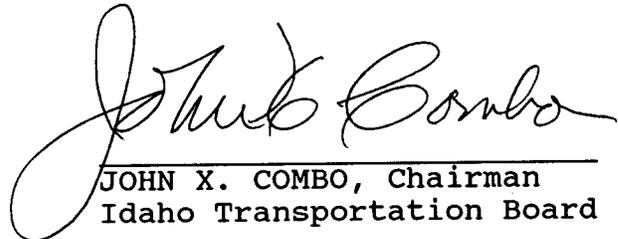
Since Gwen Smith, Training and Development Manager, resigned from ITD, the employee committees have not made much progress. Acting Director Green has asked staff for recommendations to take over these duties.

The first-come, first-served philosophy to let projects was discussed at the January Highway Operations Committee meeting. The District Engineers gave unanimous support for this system.

Staff reevaluated the Boise Valley Pack property on SH-55 in relation to the Eagle Alternate Route project. Due to the high cost of the land and the availability of other areas for parking for access to the river, the Department is not interested in purchasing the property.

Regarding the curve north of Smiths Ferry on SH-55, the rock will be blown away. District 3 personnel will perform this minor work and fund it from the district's maintenance budget.

WHEREUPON, the Board meeting ended at 2:00 PM.


 JOHN X. COMBO, Chairman
 Idaho Transportation Board

Read and Approved
 February 19, 1993
 Boise, Idaho

January 8, 1993

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

February 18-19, 1993

The regular session of the Transportation Board meeting convened at 8:15 AM in Boise, Idaho in the Transportation Building. The following people were present:

John X. Combo, Chairman - Region 1
Leon E. Smith, Jr., Vice Chairman - Region 2
Mike P. Mitchell, Member - Region 3
Mary F. Detmar, Executive Assistant to the Board
Sue S. Kaufman, Administrative Secretary to the Board
G. Keith Green, Acting Director
Jeff Stratten, Public Affairs Officer
Jack T. Coe, Division Administrator - Federal Highway Administration

Mary Lou Brown introduced Virginia Hughes to the Board. Ms. Hughes is the new Administrative Secretary in the Executive Management Office and will work with the Director.

Aeronautics Advisory Board (AAB). William Cooper was presented to the Board members as the recently-hired Aeronautics Division Administrator (AA). AAB member Parish thanked the Transportation Board and Acting Director for the speed in which Mr. Cooper was hired and brought on board. He also said Mr. Cooper has a great diversity of aeronautic and administrative experience and the AAB is very pleased with his qualifications.

AAB Merrick advised the Board members that the AAB is also very pleased with Acting Director Green. Mr. Green has given the AAB more time and effort than any previous director has and the AAB really appreciates that.

Chairman Combo recognized and congratulated AAB Member Merrick on his re-appointment by Governor Andrus to the Aeronautics Advisory Board. Chairman Combo also welcomed AA Cooper to the ITD staff.

Aircraft Pool. AA Cooper presented a plan to dry lease a twin-engine airplane. This would be an interim plan to allow the Aeronautics Division to acquire an aircraft and revive the aircraft pool. The lease would be for a pressurized airplane with a minimum of 6 passenger seats. The lease would be for one year with the option of extending the lease, and no minimum flight time would be guaranteed. Dry lease means the Division pays for fuel and maintenance.

AA Cooper said that the start-up costs would be minimal, with training being the biggest cost. He also stressed that the Division will operate under FAR Part 135, federal

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safety regulations, when operating state aircraft. AAB Chairman Hill added that the AAB endorses this plan and requests approval from the Transportation Board.

Vice Chairman Smith made a motion for the Division of Aeronautics to proceed with dry leasing a twin-engine plane as outlined above. Acting Director Green will review the plan with the Division of Financial Management before proceeding. Member Mitchell seconded the motion and it passed unopposed.

State Administered Multiple Airport Layout Plan Projects. The Aeronautics Division has prepared a General Aviation Airport Layout Plan Program to help plan, prioritize, and administer airport projects. The airports proposed for inclusion in the initial FY93 program are Bonners Ferry, Kellogg, Priest River, and St. Maries. This project will require contracting with two consultants: one to accomplish the actual planning, and a second to do an independent technical review for compliance with FAA standards. Estimated costs are \$115,500 to be contracted and \$9,500 state force account to be shared as follows:

<u>FAA</u>	<u>STATE</u>	<u>COUNTIES</u>	<u>TOTAL</u>
\$112,500 (90%)	\$6,250 (5%)	\$6,250 (5%)	\$125,000

Vice Chairman Smith made a motion to approve the proposed General Aviation Airport Layout Plan Program, use consulting services to accomplish the proposed FY93 project, and authorize the Division of Aeronautics to enter into a grant agreement with the FAA to cover 90% of the cost. Member Mitchell seconded the motion and it carried.

Rejection of Bid, IM-84-29(043)50, Key 5398, Commercial Frontage Road Demolition at Cole/Overland, I-84, District 3. Prior to signing the contract, it became evident that the Special Provision for removal of asbestos was not clear in regard to Basis of Payment. In fairness to all bidders, it was decided to reject all bids and readvertise the project at a later date.

Without objection, the Board approved rejection of the bid for project IM-84-29(043)50.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

STP-RS-5732(013), Key 2337 - Spirit Creek - Hoodoo Loop Road, Bonner County, SH-41, District 1. Low bidder: Inland Asphalt Co., Spokane, Washington - \$2,626,324.80.

UST-31000, Key 4907 - Underground Storage Tanks, Boise Maintenance Yard, Ada County, District 3. The low bid was more than ten percent over the engineer's estimate, requiring justification. The District reviewed the bids and found the only obvious discrepancy to be with Stationary Underground Storage Tank. This item included furnishing and installing two 10,000 gallon tanks in separate locations. The engineer's estimate did not

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include the cost of two separate installations and estimated the cost of two 10,000 gallon tanks at the same cost as splitting a 20,000 gallon in two 10,000 gallon sections, which came to \$17,000.

Considering there are two separate installations for the tanks at \$10,000 each and the cost of the tanks at \$10,971 each, a more realistic figure for the item would be \$41,942. This figure would bring the low bidder within about nine percent of the engineer's estimate. The Board concurred with the District's recommendation to award this contract. Low bidder: Hobson, Inc dba Dale's Service Co., Boise, Idaho - \$122,991.64.

STP-IM-IR-84-2(029)105, Key 3823 - MP 103.5 to 3 Miles West of West Hammett IC, Elmore County, I-84, District 3. Low bidder: Wildish Land Co., Eugene, Oregon - \$11,969,050.10.

ST-2360(604), Key 5097 - Twin Falls Lateral, Northwest of Buhl; Twin Falls County, District 4. The low bid was more than 25 percent under the engineer's estimate, requiring justification. Differences in bid and estimated prices for plantmix and concrete are approximately 12 percent of the engineer's estimate. The plantmix quantity is small (15 tons total) and 95 tons is for a detour with possible placement in February. No bids for comparable work were available and the District estimate was too high. Information on bid prices for fly-ash concrete was limited at the time the estimate was made, and recent bids have shown the estimated prices were too high. The Board concurred with the District's recommendation to award the contract. Low bidder: Idaho Construction Co., Inc., Kimberly, Idaho - \$95,990.72.

STP-M-7436(001), Key 2064 - Ammon/Lincoln Road, Sunnyside Road to 17th Street, Idaho Falls; Bonneville County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,782,615.90.

STP-RS-1786(015), Key 0777 - Wayan East, Caribou County, SH-34, District 5. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$627,487.00.

BRF-6471(091) & BRS-6803(100), Keys 2851 & 2852 - Fall River Canal, Chester & Farmers Friend Canal, St. Anthony; Fremont County, US-20 & US-20B, District 6. Low bidder: Idaho Construction Co., Inc., Kimberly, Idaho - \$325,681.88.

PHF-61-1(003), Key 4488 - Pine Road, Elmore County, District 3. The low bid was more than ten percent over the engineer's estimate, requiring justification. The Local Roads Section reviewed the bids received and found the discrepancy to be the excavation item. Inclement weather prevented the contractors from getting a good look at the project, and the quantity of rock that may be necessary to excavate. This created an element of uncertainty and contributed to a higher unit price for this item. The Board concurred with staff's recommendation to award this contract. Low bidder: West Wood Corporation, Spokane, Washington - \$2,696,989.25.

Proposal to Move 16' Wide Mobile Home on US-30, I-15 and I-90. SFC James Skinner has requested permission to move his 16' wide by 80' long mobile home from Missouri to Seattle, crossing Idaho. Rule IDAPA 90.C.17 limits the maximum width of mobile homes being towed on their own axles to 14' at the base. Rule IDAPA 39.C.10.7.C authorizes the Transportation Board to consider a petition for the temporary waiver of regulations which are perceived as being the cause of an economic hardship.

Member Mitchell motioned, seconded by Vice Chairman Smith, to authorize the issuance of a special permit, based on economic hardship, to allow Mr. Skinner's 16' wide mobile home to move on its own axles on US-30, I-15 and I-90. The motion carried.

Condemnation Action. The Board signed the order of condemnation on the following parcel as recommended by the Chief of Highway Operations:

<u>Project No.</u>	<u>Parcel No.</u>	<u>Key No.</u>	<u>Route No.</u>
F-5121(044)	24	4178	US-2

Status of Legislation. Acting Director Green provided the Board members with an update on legislative issues.

Delegation - Tamara Harney, Recycled Glass. Ms. Harney and Christy Hamilton asked the Board for a one-time special variance of the purchase price of recycled glass. Since the enactment of legislation in 1992, recycled glass has been stockpiled and intended for sale to the Department to use in roadways. The legislation authorized .5% of the highway distribution account to purchase the glass. The recyclers believed that figures out at about \$40 per ton. The Department can justify no more than \$4-5 per ton based on federal bidding regulations on similar material. Ms. Harney indicated that approximately two million pounds of recycled glass has been stockpiled. The recycling centers would accept no further glass once the stockpiled glass had been purchased.

The Board thanked the group for the input and took the matter under advisement.

Delegation - Mayor Wright of Bellevue regarding Main Street, SH-75. Mayor Wright and consulting engineer Dick Dyer asked the Board to accelerate the project from Preliminary Development to FY93 in the state-funded program. The city intends to assess an LID to use as the local match along with highway funds for an economic development block grant from the Department of Commerce. Those grants are awarded on a quarterly basis.

Acting Director Green believed that the proposed development schedule was extremely optimistic based on his experience, and he recommended that the schedule be revised accordingly. He urged the city to continue with design work and right-of-way acquisition. In the meantime, the Department will continue to work with Commerce in coordinating the funding. All state-funded projects are reviewed each June.

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The Board agreed with the Acting Director and assured the city that a cooperative effort would be maintained so that all funding sources could be coordinated.

Lunch with Local Highway Needs Assessment Council (LHNAC). The informal discussion included LHNAC's role as an advisory group, concern over erosion of the highway distribution account for non-highway purposes, the need for a policy allocating funds for cities with less than 5,000 population, local highway organization and funding distribution. No decisions were made.

Lakeside Avenue Funding, ST-7235(600), Key 4451. The City of Coeur d'Alene requested additional funds for its Lakeside Avenue project, anticipating construction in the spring of 1993. Staff recommends an exchange of urban funds with the City of Coeur d'Alene on a one-time basis at a rate of 61 2/3 cents per dollar. (\$308,335 of ST funds would be exchanged for \$500,000 of urban funds. The urban funds would revert to ITD's STP account.) Staff also asked the Board to provide a combination of FY93 and FY94 ST funds for the exchange and to complete the project funding requirements.

Member Mitchell made a motion to approve funding for the Lakeside Avenue project in the amount of \$2,183,015, and that the complete project including the intersections at Northwest Boulevard and 8th and Sherman, and signalization, be built. Lakeside Avenue is expected to be the primary east-west through street controlled by traffic lights rather than stop signs. The Board further stipulated that this funding is for Lakeside Avenue only, ~~from the intersection of Northwest Boulevard to the intersection of 8th Street~~, and does not carry with it any commitment for future projects on Sherman Avenue or Northwest Boulevard. Vice Chairman Smith seconded the motion and it passed unopposed.

Memorandums of Understanding. The Board reviewed the current status report on the development of Memorandums of Understanding (MOUs) with other agencies. Only two MOUs remain to be completed. The Department of Law Enforcement does not want to complete the MOU until a decision is made by the legislature on the transfer of the Port of Entry. The Tax Commission is not ready to complete its MOU until more details are worked out with ITD on the one-stop-shop concept. No more quarterly status reports will be made to the Board; the Director will monitor the status.

Request for Consultant Design, Montpelier to Geneva, DPI-0191(001), Key 5312, US-89, District 5. This project, from MP 26.3 to 40.2, is programmed as four separate projects. The District will be unable to complete the design of these projects because of its existing workload and has requested that the projects be put out for consultant design.

The estimated cost of these projects is \$28.6 million. Cost for consultant services is estimated to be \$2-3 million.

The Board members asked staff to scale back the project to meet \$18.5 million available in demonstration funds. The project costs should be resubmitted at the September program update and the request for design consultant should be resubmitted when it's ready.

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Introduction of John Barnes. The Board members were introduced to John Barnes. He was recently hired to fill the newly-created Bicycle/Pedestrian Coordinator position for ITD. Mr. Barnes briefed the Board on his plans to implement the program mandated by ISTEA.

Update of Enhancement and Congestion Mitigation/Air Quality (CMAQ) Development Programs. In October 1992, ITD staff distributed Enhancement and CMAQ application packets to appropriate agencies. Numerous requests were received, reviewed for eligibility of federal funds by FHWA and ITD staff, prioritized by an inter-agency Enhancement Advisory Committee, then submitted for Board approval.

Member Mitchell requested that the Juliaetta bike trail, key 5555, be advanced to FY93, if the project could be ready; otherwise, the project should be moved to FY94. With that change, the Board unanimously approved the FY93-95 Enhancement and FY93 CMAQ programs shown in the following exhibits which are made a part hereof with like effect:

Enhancement Program, Exhibit 76

Congestion Mitigation/Air Quality, Exhibit 77

Idaho's Proposed National Highway System. The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 requires the states to submit proposed National Highway System (NHS) candidates by April 30, 1993. FHWA allowed 2,208 NHS miles for Idaho, although an additional 15 percent, or 331 miles may be included according to FHWA guidelines, for a total of 2,539 miles. Idaho's proposed NHS mileage is 2,281.3 miles. The Board reviewed the map showing Idaho's proposed NHS mileage.

Without objection, the Board approved the proposed routes for inclusion in the National Highway System as shown in Exhibit 78 which is made a part hereof with like effect.

Delay of Two State-funded Projects in District 4. District staff requested delaying ST-2340(603), key 5343, Silver Creek to Carey West, US-20 and ST-8102(601), key 5103, Lincoln Street Signal, Jerome, SH-25 from FY93 to Preliminary Development. Delaying the two projects totaling \$650,000 would offset \$670,000 of increased costs in projects ST-2846(603), key 5344, 3200 East to Red Cap, US-30, and ST-2741(601), key 5345, Red Cap to Hansen Bridge, SH-50. Cost increases for these projects were caused by a change in concept from hot recycle to overlay projects.

Without objection, the Board approved delaying State-funded projects keys 5343 and 5103 from FY93 to Preliminary Development.

Rehabilitation of I-84 Bridges at Glens Ferry and King Hill, IM-84-2(044)121, Key 5621, District 4. Fatigue cracking recently occurred in the exterior girder webs at various locations in the short spans on the Glens Ferry bridges. Emergency repairs by ITD are under way.

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Staff requested the addition of an Interstate Maintenance project for FY94 in the amount of \$350,000. A term agreement will be negotiated with a consultant to evaluate the existing condition of the bridges and prepare plans for required modifications. The estimated cost of design is \$60,000 and construction is estimated at \$290,000. Even though cracking was not detected at the King Hill bridges, it is likely to have similar problems in the future because the bridges have the same two-girder type of superstructure which is considered to be "fracture critical" by today's standards. Therefore, a complete evaluation of the fatigue prone details needs to be conducted on the Glenns Ferry and King Hill steel bridges.

Bridge Inspection Engineer Kathleen Slinger produced pictures and reports for the Board to review on the problem.

Without objection, the Board approved the Interstate Maintenance project for the Glenns Ferry and King Hill bridges on I-84 in the amount of \$350,000 for FY94.

Weight Variance for Portable Wheel Weighers. At its May 1991 Board meeting, a weight variance of 1,000 pounds for portable wheel weighers was approved. Since that time, the FHWA has made a major issue of tolerances and has indicated in written communications that flat tolerances are not acceptable and that continued application of such tolerances will result in sanctions.

Vice Chairman Smith made a motion to rescind the weight variance policy established by the Board in May 1991, and that the POE staff be governed by Sections 130.6.1 and 130.7 of the POE Procedures Manual. Member Mitchell seconded the motion and it carried.

Director's Report. Acting Director Green told the Board he received information on President Clinton's proposal to appropriate additional funds to the highway account. If this proposal is enacted, Idaho would receive approximately \$20 million. That is the amount ITD staff programmed for and the Board approved in September, prior to the reduction.

Board Meeting Dates. The following meeting dates were scheduled by the Board:

March 25-26, 1993 - Boise
 April 22-23, 1993 - District 4 (changed from April 15-16)
 May 20-21, 1993 - District 6

WHEREUPON, the Board meeting adjourned at 5:10 PM.

February 19, 1993

The regular Board meeting reconvened at 8:10 AM on February 19, 1993 in the Transportation Building in Boise, Idaho. All Board members were present.

February 19, 1993

Introduction of Gordon Pierce. Gordon Pierce was recently promoted to ITD's Training and Development Manager. He told the Board he looks forward to the challenges that await him.

Vice Chairman Smith asked Mr. Pierce to make a recommendation on when to do a follow-up employee opinion survey, and also to consider possible revised questions for inclusion in the survey.

Annual Report on Audits. Internal Review Manager Carri Rosti made a presentation identifying the audits her section performed in 1992 and the significant recommendations. She also explained her process of scheduling audits.

Public Involvement Coordinator. The announcement for this position has closed and three applications were received. After the applications are reviewed for minimum qualifications, interviews will be held, and the position will hopefully be filled by March 1.

Settlement on IR-F-5116(71), Key 4458, Parcel 129, Kootenai Cutoff to Colburn, US-95, District 1. The Colburn Quick Stop, gas station and convenience store, is needed for this widening project.

Without objection, the Board affirmed the Chief Legal Counsel's action for a settlement in excess of \$100,000.

Employee Service Awards. The Board members participated in the Headquarter's employee service awards.

Meeting with Registration Services Employees. The Board and Acting Director met informally with employees in Registration Services. Questions from the employees included:

- position on SB1112 revising use fees for commercial vehicles and audits of miles operated when overweight;
- possible freeze on hiring when workload has increased 37% in recent years;

management needs to address reducing services, upgrading technology, etc.;

- working relationship with POE if function is transferred to the Department of Law Enforcement;
- subsidization of DLE's hazardous materials program currently being operated by ITD employees;
- available working space when DLE moves out of headquarters building;
- salary equity among employees; and
- putting supplies in unused elevator shafts.

Board Policy B-18-02, Personnel Actions. Chairman Combo asked for a revision to B-18-02, to indicate Board approval of selected positions prior to announcement. He would like to see a draft of this policy with specific positions identified.

February 19, 1993

Election of Officers. Existing Board officers were unanimously continued.

January Board Minutes. The Board members approved the January Board minutes.

Wilson Drain to Karcher, NH-F-M-7963(021), Key 4477, I-84B, District 3. Acting Director Green said the improvements in this project are similar to other jointly-funded projects and requested direction from the Board on asking the cities of Nampa and Caldwell to buy the right-of-way needed to advance this project. Vice Chairman Smith volunteered to discuss with Phil Batt the possibility of local entities securing an LID for participation in the project.

Revenue Shortfall. Acting Director Green explained that at this time it's difficult to estimate when ITD will need an increase to match the share of federal funds. He will identify the projected revenue shortfall, look at the impact on availability of revenue, and report to the Board at a later date.

Citizens' Concerns about SH-3, MP 1-4, District 2. Member Mitchell reported that he has received over 400 letters regarding the safety of SH-3 near Kendrick, and summarized citizens' concerns on the stretch from MP 1-4.

The Board members instructed ITD staff to prepare a report outlining what immediate and long-range improvements could be made on SH-3 from Arrow Junction east to Little Potlatch Creek. *They also directed staff to advise local law enforcement agencies about the public's concerns over vehicles exceeding the speed limit.*

Kiosks Developed with Parks & Recreation at Rest Areas. Acting Director Green said this project is progressing and that John Bertram has been hired as a consultant to coordinate the kiosks project.

Status of Rest Areas. At its April 1992 meeting, the Board requested staff to reconsider criteria for justification of new and improved rest areas with input from appropriate state and federal agencies. The projected completion time was February 1993.

Collection of data has taken much longer than anticipated. It is estimated that 70 percent of the information has been received and that the remainder can be obtained by early March. A tentative plan will be developed for Board review by mid May.

Wild Waters Appraisal, IR-84-2(001)50, Key 2521, I-84, Parcel Nos. 131-132. Acting Director Green informed the Board that an appraiser has been hired to complete another appraisal on the Wild Waters property.

Introduction of Employees. Sherie Sweaney was introduced to the Board as the new Employee Committee Chairperson. She works closely with the Acting Director on coordinating the employee committees' activities and tracking their action items.

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Susan Bale recently accepted the position of Policy and Procedures Coordinator. Her duties include updating, deleting, and incorporating revisions into policies.

Both employees are maintaining their current positions in the Motor Vehicles Bureau in addition to these new responsibilities.

Annual Report on Safety. Safety/Loss Control Coordinator Cheryl Rost reported that the Department received a dividend from the State Insurance Fund. The dividend represents a 34.2 percent return of premium paid in 1991, based on losses versus premium averaged over a three-year period. The State Insurance Fund complimented ITD on its efforts to prevent accidents and reduce work-related injuries and presented a formal letter of recognition for the Department's excellent record. The Department's liability insurance was also discounted due to the employee participation in Defensive Driving classes.

The Board reviewed the summary of safety-related training provided during 1992, and other Safety Program accomplishments.

Fitness and Wellness Committee Update. Kathleen Slinger, chairperson of this task force, notified the Board of the committee's activities for calendar year 1992. She then proposed the wellness program for FY94.

Vice Chairman Smith said a lot of progress has been made, and encouraged the committee to continue the program at the rate it's going. He then made a motion to approve the following items in the FY94 Wellness Program: 1) renew flu shots; 2) renew fitness tests, offer blood screens instead of health risk appraisals; 3) assign part of the wellness function as collateral duties to a full-time Headquarters employee; 4) develop a weight management/nutrition program; 5) investigate providing treadmill/exercise bike/nordic track for the department; and 6) promote Department involvement in a major run/walk and track individuals' finishing times. Chairman Combo seconded the motion and it passed unopposed.

The Board requested staff to evaluate the feasibility of granting one-half hour administrative leave two to three times weekly to employees involved in a fitness activity and report to the Board in a couple of months. This item, part of the original FY94 Wellness Program, was not approved at this time. The Board encouraged all employees, especially those in outlying areas to attend health fairs, if possible.

Revision to Board Policies. Board Policy B-05-05, Roadside Vegetation Maintenance, was revised for the Board to allow the Director to delegate to the State Highway Administrator and the District Engineers authority to sign weed control agreements. Also, the current procedure manual references were updated.

Board Policy B-05-16, Maintenance of State Highways, was updated for the current Board Chairman's signature and for current references.

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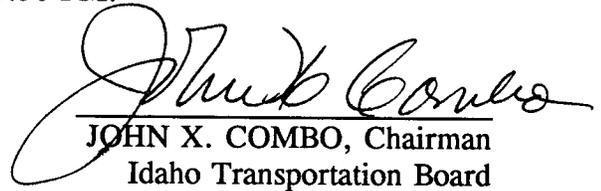
Board Policy B-06-08, Obtaining Professional Services, was revised to increase the dollar amount from \$25,000 to \$100,000 for routine consultant agreements for engineering design that can be approved by the Director. The dollar amount for other service contracts or agreements to be approved by the Board remains at \$25,000. The references were also updated.

Without objection, the Board approved the revisions to B-05-05, B-05-16, and B-06-08.

Out-of-State Travel. The Board members reviewed the travel requested and had no questions or comments.

Executive Session on Personnel Issues. In accordance with Section 67-2345(b), Idaho Code, the Board met in executive session at 3:25 PM with Acting Director Green to discuss personnel issues. The executive session ended at 3:50 PM. No decisions were made.

WHEREUPON, the Board meeting adjourned at 3:50 PM.


JOHN X. COMBO, Chairman
Idaho Transportation Board

Read and Approved
March 26, 1993
Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

March 25-26, 1993

Executive Session on Legal Issues. In accordance with Section 67-2345(f), Idaho Code, the Board met in executive session at 8:15 AM with Chief Legal Counsel Trabert to discuss litigation. The executive session ended at 8:45 AM. No decisions were made.

The regular session of the Transportation Board meeting convened at 8:50 AM in Boise, Idaho in the Transportation Building. The following people were present:

John X. Combo, Chairman - Region 1
Leon E. Smith, Jr., Vice Chairman - Region 2
Mike P. Mitchell, Member - Region 3
Mary F. Detmar, Executive Assistant to the Board
Sue S. Kaufman, Administrative Secretary to the Board
G. Keith Green, Acting Director
Jeff Stratten, Public Affairs Officer
Judie Wright, Senior Financial Analyst - Governor's Office

Canadian Weight Vehicles up to 138,000 Pound Gross Vehicle Weight through Eastport to Eastport Industries, US-95, District 1. Mr. Ken Nail of Eastport is requesting an appeal to allow Canadian weight commercial vehicles up to 138,000 pounds gross vehicle weight to enter Idaho at the US customs port on US-95 at Eastport and travel to his reload facility which essentially abuts the US/Canadian line adjacent to US-95. Idaho's maximum gross vehicle weight is 105,500 pounds and the US customs officials at the Eastport customs station are enforcing Idaho's vehicle weight laws through contact with ITD Port of Entry personnel. Therefore, it is necessary for Canadian trucks to haul at Idaho weights into the reload facility.

Kelly Olsen with the Department of Agriculture said her Department is not opposed to this appeal; however, they do have two concerns. The first is regarding reciprocity. If we grant this appeal, she hopes Canada would do the same for an Idaho business. The second consideration was that all Idaho truckers have this same opportunity. She encouraged the Board to grant Mr. Nail the requested permit, but with a waiver that such permits shall exclude import of agricultural products. Ms. Olsen was also representing the Wheat Commission which is against Mr. Nail's request. The Commission also has concerns on reciprocity and also is opposed because this would be precedent setting.

According to Jim Hawkins and David Christensen, the Department of Commerce strongly urges the Board to approve this permit with the waiver to exclude agricultural products because of the economic impact and growth of the Eastport Industries' business that would be realized. Mr. Hawkins offered the services of Commerce to negotiate with Canadian officials on reciprocity.

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Vice Chairman Smith reminded the group that the weights and axle limits are set in Idaho Code. Any changes to that must be done by legislation. He suggested charging Mr. Nail for maintenance on this stretch. The Board tabled this item until March 26.

Permit for 53-foot Cattle Trailers to Travel US-95, District 1. On the section of US-95 from Copeland to the Canadian border, 53-foot long semitrailers are allowed by special permit, provided that their calculated maximum off-track does not exceed 5.5 feet. Without special permit or off-tracking restrictions, 48-foot semitrailers are allowed on this section. It was brought to staff's attention that legal 48-foot semitrailers can have a greater off-track than some 53-foot semitrailers. Therefore, staff recommended that all 53-foot livestock trailers not exceeding a 6.5-foot off-track be issued a permit at a cost of \$25.00, allowing them to utilize US-95 from Copeland to the Canadian border. Staff also recommended that proposed rules be developed for the Board's consideration to extend this concept to the entire State Highway System

Vice Chairman Smith made a motion to table this item until staff can study this issue and also make a recommendation on statewide application. Member Mitchell seconded the motion and it passed unopposed. Mr. Ben Walter will be advised that his request is pending the study of statewide implications.

CANAMEX. Maintenance Engineer Clayton Sullivan informed the Board of the North American trade corridor and questioned Idaho's interest in pursuing becoming a major trade route. This would mean increasing the United States' trucking standards to Canada's. Currently, a proposed Memorandum of Understanding, promising to pursue this issue, is before all affected states. Mr. Sullivan suggested the Board become familiar with this matter and give ITD direction in the future.

Acting Director Green notified the Board of a resolution currently before the WASHTO Subcommittee on Highway Transport. This resolution, if approved, would support removal of the freeze the United States Congress placed on truck size and weights as of June 1991.

Paul Sudmeier, Executive Director of the Idaho Motor Transport Association, supports the WASHTO resolution and urged the Board to do the same.

Proposed 16-foot Wide Mobile Home Move, I-90, District 1. Darrin Boone wishes to move his mobile home from Kansas to Pasco, Washington. The mobile home is 16' wide by 80' long and Rule IDAPA 39.C.17 limits the maximum width of mobile homes being towed on their own axles to 14' at the base. Rule IDAPA 39.C.10.7.C authorizes the Transportation Board to consider a petition for the temporary waiver of regulations which are perceived as being the cause of an economic hardship.

Vice Chairman Smith requested staff to draft an amendment to Rule 39.C.10.7.C to allow the Director, rather than the Board, to approve petitions for the temporary waiver of

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regulations based on economic hardship so that these requests could be handled more efficiently. Without objection, the Board approved the issuance of a special permit, based on economic hardship, to allow Mr. Boone to move his 16' wide mobile home on its own axles on I-90, and directed staff to prepare amendments to Rule 39.C.10.7.c.

Right of Way Use Permit 3-93-145, Payless Drug Store, Caldwell, I-84B, District 3. Payless Drug is requesting a new 30-foot approach on I-84 Business in Caldwell in a partial control of access area to enhance access to a proposed new drug store and small shopping center. The property is currently serviced by one approach in the partial control of access area and five approaches in the standard approach access control area. Only one of the approaches in the standard approach area will be utilized with the proposed development. The requested new approach would be located on a one-way street that would not create a safety or congestion problem.

Without objection, the Board approved the approach subject to an appraisal and collection of the appraisal fees and the appraised value of the approach.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

STM-0001(614), Key 5447, Bonners Ferry Area Brooming, Boundary and Bonner Counties, US-95, US-2, SH-57, SH-41, District 1. Low bidder: Aero Power-Vac, Inc., Missoula, Montana - \$38,719.80.

STM-0001(579), Key 4587, Coeur d'Alene, Post Falls and Rathdrum Areas, Kootenai County, District 1. Low bidder: Aero Power-Vac, Inc., Missoula, Montana - \$28,122.80.

STM-90-1(545)11, Key 5450, S.I.R.R. to Blue Creek Bay, Kootenai County, I-90, District 1. Low bidder: Aero Power-Vac, Inc., Missoula, Montana - \$15,233.80.

STM-90-1(543)20, Key 5448, Blue Creek Bay to Cedars POE, I-90, Kootenai County, District 1. Low bidder: Aero Power-Vac, Inc., Missoula, Montana - \$23,712.10.

STM-90-1(544)45, Key 5449, Pinehurst to Montana State Line, I-90, Shoshone County, District 1. Low bidder: Aero Power-Vac, Inc., Missoula, Montana - \$51,752.00.

ST-1490(600), STM-1803(600), and STM-1804(507), Keys 5368, 4969, and 4571, Winder to Banida, Turnaround to Monument, and Jct. US-91 to Bear River Hill; Franklin and Bear Lake Counties, US-91, SH-36, SH-34, District 5. Low bidder: Bannock Paving Company, Inc., Pocatello, Idaho - \$839,254.00.

Visit with Employees in the Data Processing Section. The Board toured the computer room and visited with employees. Concerns included: policy on compliance with ISTEA; status of a permanent director; status of legislation moving the Ports of Entry to Law

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Enforcement; salaries being 15% less than in the private sector; legislative mandates without funding; compensatory time off for overtime; exercise equipment; additional space. All questions were answered; those on salaries and comp time will be discussed further with the staff and employees.

Changes to Enhancement and Congestion Mitigation/Air Quality (CMAQ) Program Procedures. Although the FY93 Enhancement and CMAQ project programming procedures were successful, applicants, members of the Enhancement Advisory Committee (EAC), and the metropolitan planning organizations were asked for improvement suggestions. Staff identified areas in need of improvement and recommended changes to incorporate into the FY94 application packets to strengthen procedures and better inform applicants.

The Board suggested some modifications to the packets and directed staff to send out application packets now. With these changes, the Board unanimously approved the Enhancement/CMAQ Program procedures for the FY94 update of the Highway Development Program.

Federal Lands Program. On February 9, 1993 the Tri-Agency (Federal Highway Administration, US Forest Service Regions I and IV, and ITD) met to update the Federal Lands Program. The FY93-97 program is closer in balance with the agreed upon 50/50 split of project sponsorship between the US Forest Service and ITD than has existed in the past.

The annual funding level for this program is approximately \$10 million of formula Forest Highway funds administered by FHWA. This funding level is up from \$4.8 million available prior to ISTEA. Public Lands Discretionary funding is no longer included in the Federal Lands Program because the funds received would be deducted from Idaho's Surface Transportation Program funds in the following year.

Without objection the Board approved the updated FY93-97 Federal Lands Program shown in Exhibit 79 which is made a part hereof with like effect.

Annual Review of Statewide Rural Functional Classification System. Staff reviewed the rural functional classification for the State Highway System in the annual update and as required by the Intermodal Surface Transportation Efficiency Act of 1991. No revisions from last year's update were made. The following list shows the mileage (to the nearest mile) of state highway for each rural functional classification:

<u>Functional Classification</u>	<u>Mileage</u>
Interstate	531
Principal Arterial	1629
Minor Arterial	1325
Major Collector	<u>1205</u>
	Total 4690

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Without objection, the Board approved the Statewide Rural 2000 Functional Classification System map.

Extension of Business Route Designation in Post Falls, District 1. The city of Post Falls is requesting Board consideration to add Seltice Way from the Seltice/I-90 interchange east to the I-90/SH-41 interchange as a business loop.

That portion of Seltice Way does not pass through the central business district, and according to AASHTO definitions, a business route provides the traveling public an opportunity to travel "through the business part of the city." Although there may be existing and projected commercial development along East Seltice Way, staff believed it may not be in the public's best interest to sign a business route that would prematurely cause travelers to exit the interstate if they were expecting the quickest route to the central business district.

Without objection, the Board members agreed with the staff recommendation and denied the city of Post Fall's request to add Seltice Way as a business loop.

Supplemental Agreement for Consulting Services, NH-F-3271(052), Key 3758, SH-55, District 3. Because of numerous changes in the scope of work on the SH-55, SH-44-North project, design consultant Centennial Engineering, Inc., requested an additional supplemental agreement in the amount of \$525,000.

Acting Director Green explained that the Design Section is being reorganized to include a consultant agreement unit. This unit should help reduce the number and amount of supplemental agreements requested. Also, training is being provided to consultants to minimize supplemental agreements.

Vice Chairman Smith moved, seconded by Chairman Combo, to approve the supplemental agreement in the amount of \$525,000 to Centennial Engineering, Inc. for project NH-F-3271(052). The motion carried.

Beacon Light Road/SH-55 Intersection, District Three. Member Mitchell expressed concern on the safety of this intersection. He said vehicles traveling north are passing on the right side of other vehicles stopped on SH-55 waiting to turn left on to Beacon Light Road. The District will be instructed to widen the northbound lane of SH-55 at the Beacon Light Road intersection to allow traffic traveling north to proceed without delay.

Request for Condemnation, IR-F-5116(071), Key 4458, US-95, District 1. This item was deferred until staff could provide additional information.

Quarterly Report on Bad Checks. During the fourth quarter in 1992, the Motor Vehicle Accounting Section processed \$16,065,674.12 in checks and \$2,899.56 or .018% were returned for collection.

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Of the total outstanding returned checks in the amount of \$47,371.90, Motor Vehicle Accounting collected \$4,143.99, and the collection agency collected \$183.48 for a total of \$4,327.47. This represents a 9 percent collection rate.

The Board members requested staff to modify this quarterly report to show bad checks received by year rather than with carryover. Also, they would like to see the information in a graph to identify trends.

ITD to Host AAMVA Region IV Conference in 1995 and WASHTO in 1997. Acting Director Green informed the Board that ITD has been asked to host these two conferences. The AAMVA Region IV Conference in 1995 will be hosted in Boise while the site for the 1997 WASHTO Conference needs to be determined.

Without objection, the Board approved ITD to host these two conferences.

Revision to Board Policies. Board Policy B-04-02, Standard Specifications for Construction Projects, was revised slightly to establish a clearer understanding of the State Highway and Aeronautics Divisions in the Department. Also, the word "Projects" was added to the title for better definition.

Board Policy B-05-06, Winter Maintenance Standards on State Highways, was revised to cause action to go from the Board to the Director to the State Highway Administrator. Previously, action went directly from the Board to the State Highway Administrator.

Board Policy B-05-15, State Institution Road Improvement, has been updated to direct the State Highway Administrator to establish and monitor the road improvement program. The Idaho Code reference was also updated. Chairman Combo modified the policy to state that Board approval is a prerequisite before any funding is released, rather than saying that the Board will consider recommendations and evaluate each proposal before releasing funds.

Board Policy B-06-11, Out-of-State Travel, had the references and title updated, and text material organized.

Without objection, the Board approved the revisions to B-04-02, B-05-06, B-05-15, and B-06-11.

Status of Implementation of HB779 and Federal Grants. Public Transportation Administrator (PTA) Oz Reyna briefed the Board on his Division's activities. The Public Transportation Advisory Council has met and plans to take the lead in organizing the Regional Public Transportation Advisory committees. The Council recommended that staff identify existing resources that can be used for development of a statewide public transportation plan. The Council believes that development of such a plan would require considerable time and dedication of the PT personnel in order to complete the plan in a reasonable amount of time and recommended that staff consider utilizing the services of a consultant to complete

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this task. The consultant services were not a question before the Board. Staff has explored the current federal grant budgets and has identified sufficient funding to cover such an expense. A project of this nature is anticipated to take six to nine months to complete, with costs ranging approximately \$120,000 - \$130,000. At its April meeting, the Council will focus on strategic planning to carry out the intent of Section 40-514, Idaho Code.

The Interagency Working Group (IWG) has met twice. If a consultant is utilized to develop the state public transportation plan, the IWG would like to provide input into the consultant's work program. Concern was also expressed on not having an official designation of regional public transportation providers who could begin the process of coordinating publicly-funded transportation services. If a public transportation plan was to be developed for the state, IWG members want the plan to identify an organization within each district that could take the lead in coordinating public transportation services and, in turn, that ITD consider promulgating rules that would designate an official provider for each district.

According to PTA Reyna, the federally-funded state grants for FY93 are expected to be released April 1 and will coincide with implementation of the program year. If Congress approves President Clinton's Economic Stimulus Program, Public Transportation would seek Board approval to apply for \$827,422 in additional funds. These funds would be limited to only capital or planning projects. Solicitation of projects to update or add to the Public Transportation Improvement Program in FY94 is underway. Projects will be incorporated into the STIP planning process and will be included in the public input process.

The Board members want to stay abreast of the activities in the Division of Public Transportation and encouraged the PTA to share any concerns and keep the Board informed.

Introduction of Public Involvement Coordinator. Julie Stutts was recently hired to fill the newly-created position of Public Involvement Coordinator. Ms. Stutts previously worked in the Public Affairs Section, and was involved with the current public hearing process. She is an effective public speaker and brings high credentials to this position. The Board members welcomed her to this new position.

Board Meeting Dates. The following meeting dates were scheduled by the Board:

April 22-23, 1993 - District 4
 May 20-21, 1993 - District 6
 June 21-22, 1993 - Boise
 July 26-27, 1993 (tentative) - District 1
 August 19-20, 1993 - District 3
 September 16-17, 1993 - Boise

February Board Minutes. The February 18-19, 1993 Board minutes were approved as corrected by the Board members.

March 25, 1993

Board Policy B-06-08, Obtaining Professional Services. At the February meeting, the Board approved an amendment to this policy that allowed the Director to approve all agreements up to \$100,000. The Board members have since agreed that they would like to see all non-routine professional agreements over \$25,000, while the Director can sign routine, engineering contracts up to \$100,000. The policy will be revised and brought back to the April meeting for Board consideration.

WHEREUPON, the Board meeting adjourned at 5:00 PM.

March 26, 1993

The Board meeting reconvened on Friday, March 26, 1993 at 8:10 AM in the Transportation Building, Boise, Idaho. All Board members were present.

The Aeronautics Advisory Board members were present for the discussion of the following three items.

Aeronautics FY94 State Grants and Three-Year Federal-Aid Program. The Board members reviewed the FY94 State Grants and General Aviation Three-Year Federal Grant Program. Both items were reviewed by the Aeronautics Advisory Board (AAB) at its February meeting and all revisions that resulted from that meeting have been incorporated into the current programs.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to approve the Aeronautics FY94 State Grants and the Three-Year Federal-Aid Program. The motion passed unopposed.

Aircraft Replacement. Aeronautics Administrator Cooper reported to the Board that he presented the aircraft replacement package to the Governor's Chief of Staff and received an enthusiastic response.

Security at Aeronautics. AAB Chairman Hill has asked ITD to strengthen security at Aeronautics. The Aeronautics Administrator and Acting Director have been working on solutions to that problem and the AAB endorses what has been done to date.

Aeronautics Audit. The Internal Review Section completed a performance audit of the Division of Aeronautics to determine if adequate controls and procedures are in place to provide assurance that financial operations are conducted properly; that resource management is efficient, economical, and effective; that there is compliance with applicable laws, regulations, and administrative requirements; and that there is adequate safeguards of ITD's resources.

March 26, 1993

According to the review, administrative, financial, and operational controls within Aeronautics need significant improvement. However, no illegal or fraudulent activities were found. According to Internal Review Manager Rosti, corrections to many of the weaknesses noted in the report are in the process of being implemented because of the proactive role of the new Aeronautics Administrator. A follow-up review will be conducted by Internal Review in 1994.

Recycled Glass. At the February Board meeting, two recyclers met with the Board to request a one-time variance on the purchase price of recycled glass. At that time the Board took it under advisement.

Vice Chairman Smith explained to recycler Tamara Harney that the Board is entrusted with public money and cannot justify spending \$40.00 a ton on recycled glass for fill when it can be purchased for \$2 to \$4 a ton. The Board denied the one-time variance on the recycled glass purchase price, but emphasized that it does support recycling efforts and directed staff to work with the recycling efforts.

Wilson Drain to Karcher, NH-F-M-7963(021), Key 4477, I-84B, District 3. The Board members told the mayors of Nampa and Caldwell, who were present at the Board's request, that the Department wants to work with the cities and county to acquire the needed right-of-way for the Nampa/Caldwell project. LeRoy Meyer, District Three Engineer, said the design is almost complete and as soon as the right-of-way has been acquired, staff can prepare for the public information meeting. He and the Chief Legal Counsel will continue to work with the local entities to expedite the process and resolve any conflicts. The Board will be kept apprised of the progress on this project.

Appeal of Hearing Officer's Findings of Fact, Conclusions of Law and Proposed Order, Outdoor Advertising Signs # 34063 and 34064, I-84. Mr. Randy Cone, owner of the Sand Hollow Country Store and the two signs in question, appealed the hearing officer's finding that the signs were illegal and must be removed. Mr. Cone objected to the decision because it infringed on his right of free speech and ownership of property. He and his family cannot afford to rent the logo signs available on the Interstate and are not currently in a position to comply with the logo requirements,

Chairman Combo said the Board's discretion is limited; it cannot address the issues of constitutionality, that must be done by the courts. After a lengthy discussion of the sign program and the lack of alternatives available to the Cones, Vice Chairman Smith moved, seconded by Member Mitchell, to affirm the hearing officer's findings of fact and conclusions of law. Motion carried. Mr. Smith asked, however, that the hearing officer's order be rewritten to eliminate the legal jargon and resubmitted for the Board's signature. Until that time, the sign can remain standing.

Mrs. Cone and Board Member Mitchell asked if a grocery logo was available in the logo sign program. Staff will review that question and return the information to the Director.

March 26, 1993

Request for Condemnation, IR-F-5116(071), Key 4458, Parcel 131, US-95. Vice Chairman Smith made a motion to defer this item until staff can research environmental issues surrounding this parcel and alleviate any environmental concerns associated with this project. Member Mitchell seconded the motion and it passed unopposed.

Out-of-State Travel. The Board members reviewed the travel requested. Vice Chairman Smith asked staff to prepare a report showing trends in out-of-state travel.

Lunch with Motor Carrier Advisory Committee. MCAC Chairman Pingree discussed the changes in the industry, the different rules for different commodities and trailer lengths. On the issue of potential legislation in 1994 on increased weights, the Committee asked that the law be phased in to give Idaho carriers time to convert equipment and be competitive.

Acting Director Green indicated that Idaho had voted against the WASHTO resolution to eliminate the freeze on longer-combination vehicles (LCV).

MCAC members discussed a truck speed differential on the Interstate and suggested that Department review the concept.

Rules of Practice and Procedure in Contested Case Hearings. An extensive revision of the Administrative Procedure Act (APA) came out of the 1992 legislative session. These revisions will become effective July 1, 1993. One major change mandated the Attorney General to promulgate model rules of practice and procedures. These rules shall apply to all agencies unless the agency adopts its own procedures in lieu of the model rules.

The Department's existing rules for practice and procedure in contested cases are promulgated as IDAPA Rule 39.A.01 and .03. Consideration was given to the repromulgation of ITD's existing rules; however, these rules do not reflect the new requirements of the 1992 APA amendments. Use of the model rules as drafted was also considered. These rules as they apply to contested cases constitute more than 125 rules covering 38 pages to cover every possible situation. It was felt that the nature of the majority of contested case hearings before the Department demanded a much more simplified version, so the draft staff prepared represents an amalgamation of the Department's existing rules and the model rules considerably scaled down to reflect the nature of the hearings and procedures before the Department.

Without objection, the Board gave authorization to staff to adopt the process of draft rules with any changes the Board may warrant.

ITD Budget. Gene Baker and Doug Benzon met with the Board and answered questions pertaining to the distribution of funds and the budgeting process.

Advancement of ST-2390(609), Key 4760, SH-75 & Sixth Street in Ketchum, District Four. This project was originally programmed as an FY92 state-funded project. The City of

March 26, 1993

Ketchum agreed to pay \$80,000 toward the cost of the project, but due to an unusually slow ski season in the winter of 1991-92, the city was unable to provide the funds. The district then recommended, and the Board approved, delaying the project to Preliminary Development until the city could provide its match. The city now has the \$80,000 in the form of a Certificate of Deposit payable to ITD on demand at a local bank. District Four has the project plans complete, right-of-way acquired, and the contract ready for immediate advertisement. The city would like to have construction start as soon as possible this spring to minimize impacts on its summer tourism season.

Without objection, the Board approved advancing this project to FY93 and authorized its advertisement.

Canadian Weight Vehicles up to 138,000 Pound Gross Vehicle Weight through Eastport to Eastport Industries, US-95. The Board continued discussion of this item from the day before. Member Mitchell made a motion to grant Mr. Nail's request to allow Canadian weight commercial vehicles up to 138,000 pounds gross vehicle weight to enter Idaho at the US customs port on US-95 at Eastport and travel to his reload facility, with the stipulation that agricultural products shall be excluded. Vice Chairman Smith amended the motion to require Mr. Nail to repair and maintain the state highway portion of roads being used as determined and directed by District One Engineer. Costs incurred will be reviewed at least annually. The amended motion passed unopposed.

Acting Director's Items. Deputy Director Hugh Lydston will be retiring from the Department effective May 1, 1993. He will be out of the office during April, using accumulated annual leave time.

Acting Director Green reported on the status of several legislative items. HB411, requiring right-of-way appraisers to be licensed, was amended to provide a one-year exemption to ITD appraisers. The truck bills passed and are expected to be signed by the Governor. The Port of Entry bill, SB1025, did not pass, so the Ports will remain under ITD's jurisdiction. A number of policies to provide direction to the Ports of Entry are being developed and staff will proceed with that process.

A resolution in support of the Sand Creek four-lane option was received from the city of Sandpoint. Discussion followed on alternatives with the Sand Creek route. Member Mitchell made a motion to leave out the four-lane option due to excessive cost and to add a two-lane option to the EIS, and to direct ITD staff to proceed with the environmental process. Vice Chairman Smith seconded the motion and it passed unanimously. Staff will proceed with the environmental process including do-nothing, existing improved, and Sand Creek two-lane options. The draft EIS could be available for public review in early 1994, with the location public hearing held in spring 1994, and Board determination on the program update in September 1994. Acting Director Green also told the Board that the downtown "quick-fix" traffic project is proceeding on schedule.

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Staff will be meeting with the Associated General Contractors to discuss options as it relates to the Disadvantaged Business Enterprise contract.

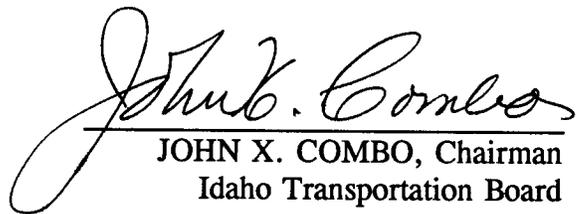
Improvements to SH-3, MP 1-4. Acting Director Green informed the Board that the proposed interim improvements to SH-3 had been received and reviewed. Long-term solutions will be developed this summer and the Board will consider the proposed project during the September program update.

Coeur d'Alene Lake Drive. The Board members unanimously authorized a contract with Dick Schwarz to review the plans for Coeur d'Alene Lake Drive (old I-90) to verify they fit with his original consultant study. The recreational trail can be called Centennial Trail, but management will be decided by ITD and Parks & Recreation. The area shall be retained in state ownership.

Executive Session on Personnel Issues. In accordance with Section 67-2345(b), Idaho Code, the Board met in executive session at 3:30 PM with the Acting Director to discuss personnel issues and then separately with Chief of Administration Transtrum and Executive Assistant Detmar to discuss additional personnel issues. The executive session ended at 4:00 PM. No decisions were made.

Vacant Director's Position. The Board suggested some changes in the announcement and criteria for the vacant director's position and gave staff a time table to work with. The selection is expected to be made by mid-July. The Board directed the Chief of Administration to prepare the necessary papers as advised by the Board so that the announcement can be completed by early May. Applications will be received and acknowledged by Dick Hutchison, Personnel Commission Director and the Board will take it from there.

WHEREUPON, the Board meeting adjourned at 4:30 PM.


JOHN X. COMBO, Chairman
Idaho Transportation Board

Read and Approved
April 23, 1993
Burley, Idaho

March 26, 1993

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

April 22-23, 1993

The Idaho Transportation Board and staff met at 8:00 AM on April 22, 1993 in the Twin Falls City Council chambers.

The following people were present:

John X. Combo, Chairman - Region 1
 Leon E. Smith, Jr., Vice Chairman - Region 2
 Mike P. Mitchell, Member - Region 3
 Mary F. Detmar, Executive Assistant to the Board
 G. Keith Green, Acting Director
 Loren Thomas, District Four Engineer
 Jim Carpenter, District Four Assistant Engineer
 Jack T. Coe, Division Administrator - Federal Highway Administration
 Judie Wright, Senior Financial Analyst - Governor's Office

Delegation - Twin Falls Transportation Study Committee. Dick Burwell reminded the Board that the group represented the communities of Twin Falls, Buhl and Kimberly.

Jack Ramsey asked the Board to consider a signalized intersection project at the junction of US-30 and Clear Lake Road in Buhl. The existing five-point intersection is heavily congested with commercial truck traffic and left turns against opposing traffic is hazardous. He also wanted the Board to authorize a study to eliminate three 90 degree turns on US-30 west of Buhl. The proposed alignment is through land that would be inexpensive to acquire because it is not in production, according to Ramsey.

Gary Young described the status of existing and upcoming projects in the Twin Falls area. The city has taken unprecedented action in Twin Falls to limit access for planned commercial and residential development on Poleline to protect a corridor of a future alternate US-93. Signal computerization will be accomplished using CMAQ funding. A comprehensive street plan is expected to be presented to the public for comment this summer.

Dick Burwell mentioned some concerns that the city of Kimberly has, including water drainage problems. The city has discussed this issue with the District.

Dick Burwell wrapped up the session by reiterating the committee's highest priority is alternate US-93, left turn bays and slow vehicle lanes on US-93 south of Hollister.

Senator Noh asked for and received a briefing on the status of recycled glass. He'd appreciate knowing the final outcome and the cost paid.

April 22, 1993

Senator McRoberts also attended the meeting.

From Twin Falls the Board members and staff drove west on US-30 and reviewed the Twin Falls-Filer project, the intersection at Clear Lake Road, and the three 90 degree curves west of Buhl. The tour continued to Hagerman.

Delegation - Hagerman Highway District. Commissioners asked the Board again to add the road from Hagerman to Wendell to the state highway system. The 8.6 mile road is in both the Hagerman and Wendell Highway Districts.

Neil King of the National Park Service described the developments made to date on the Hagerman Fossil Bed National Monument. A site for the research and tourist center has been chosen and is outlined in an environmental assessment which is currently receiving public scrutiny. He estimates that 25-30 cars per hour could visit the monument when it is finally completed in 8-10 years. The local infrastructure has been reviewed and impacts identified by the Park Service.

Senator McRoberts attended the meeting.

The Board and staff left Hagerman and drove the subject road.

Visit with the Maintenance Employees at Bliss. The Board expressed appreciation for the efforts on snow removal this past winter. Maintenance employees asked that I-84, mileposts 173-182 both east and westbound, be put on the schedule to be rebuilt as soon as possible. Every year it takes more time to do repair work at that location and the employees were concerned about the possibility of a serious accident occurring.

Juniper rest area is spaced at the right distance and should be left where it is. Employees have noticed policemen from surrounding counties as well as Idaho State Police at the rest area frequently.

Employees appreciated the covered sand sheds because turnaround time is cut down to a minimum when loading out of a sand shed.

Employees feel they've been given excellent equipment but would appreciate an additional mechanical broom.

Jerome, Bliss and rest area crew all appreciated the Board stopping by and listening to concerns.

From Bliss, the tour continued on US-26 east to Gooding.

Meeting with Gooding Airport Manager Dale Thomas. Aeronautics Advisory Board member Harry Merrick and Aeronautics Administrator Bill Cooper met the Board at the airport and discussed current operations with the airport manager.

April 22, 1993

After lunch in Gooding, the tour resumed by traveling north on SH-46, east on US-20, then north on US-93 to Ketchum City Hall.

Delegation - Bellevue Mayor. Mayor Wright advised the Board of the current status of the Main Street project. The LID is expected to be passed by the City Council at its May meeting. Another application will be made to the Department of Commerce for an economic development block grant.

Delegation - Ketchum City Administrator. Jim Jacquet expressed the city's appreciation for work to be done on 6th Street. He urged the Board to look at the current traffic situation at SH-75 and Main Street, authorize traffic counts and have staff identify solutions to ease traffic congestion at that major intersection. He offered city participation of \$20,000 to expedite the project. DE-4 Loren Thomas indicated \$30,000 is currently programmed in FY94 for a signal that is expected to cost \$70,000. Mr. Jacquet asked that the signal be in place by the winter of 1994-95 so that it would coincide with planned development at River Run.

Another project that is being planned is a shared bike path on Sun Valley Road. Currently, parking is restricted during the months of June through September but an improved, widened bike path would require no parking all year round. That could cause some concern for merchants along Sun Valley Road. He expects the project to cost \$600,000 and will keep the Board and Bike Coordinator John Barnes advised of the progress.

Delegation - Sun Valley Company. Wally Huffman described the planned development at River Run which will necessitate an improved intersection at SH-75 and 2nd Street. The company is working with the Department of Commerce for block grant funding and has kept the District advised of progress made. The company will provide right-of-way necessary for the intersection widening.

Delegation - Blaine County Commission. Commissioner Len Harlig thanked the Board for the exceptional effort by District Four on the state highways in Blaine County during the last winter.

He talked to the Board about present and future planning for SH-75 at the intersection of Airport Way in Hailey. All of the airport facilities will be eventually moved to the west side of the airport and the Commissioner expected that a traffic signal would then be warranted at the intersection. Even though it is not warranted now, he suggested that during the upcoming highway project, thought should be given to placing conduit under the road for future signalization.

Traffic concerns at East Fork Road and SH-75 are increasing and slow trucks are having a difficult time accessing SH-75. Again, he believed planning should be considered for an improved intersection.

April 22, 1993

Turn bays and right-turn lanes at intersections along SH-75, even if not currently warranted, would increase through traffic movement.

The County has approximately \$500,000 in its urban fund and would dedicate it to the Glendale Bridge project if the Board would allow the County to borrow 3 years in advance. The environmental analysis could take 2-3 years so the County should have enough money at the time to complete the \$750,000 bridge replacement.

The Board recessed its meetings and tour at 5:00 PM. Board members and staff remained overnight in Ketchum.

April 23, 1993

The Transportation Board meeting and tour of District Four resumed on Friday, April 23, 1993 at 7:30 AM at the Hailey maintenance shed.

Meeting with Maintenance Employees. The Board and staff met with maintenance employees from Hailey and Stanley. The cost and design of sand sheds, access onto SH-75 and the high cost of living in Wood River Valley were discussed. At 8:20 AM the Board traveled to the Hailey Airport.

Meeting with Hailey Airport Manager. Tod Wirthlin described the problems of the Friedman Memorial Airport: environmental (noise) concerns, access onto SH-75 when the remaining facilities on the east side of the airport are moved to the west side, and political difficulties with several entities on the airport commission. Aeronautics Administrator Cooper attended the meeting, then met later with the airport manager to discuss further issues.

From Hailey, the group traveled south on SH-75 and US-93, then east on I-84 to Burley.

Delegation - Mini-Cassia Transportation Committee. Former Governor Evans represented the group and spoke of the following projects that are ongoing: Overland-Alfresco intersection, Downard Bridge, SH-25 from Paul to Rupert, cooperation between Idaho and Utah on signs advising motorists that I-84 is closed due to dust or snow storms, resurfacing of I-84, Overland Bridge and Howell Canyon Road. Projects that were recommended for Board consideration include: wind break on I-84 between Cotterell and Sweetzer interchange to minimize blowing dust and snow; landscaping of I-84 interchanges at Burley and Heyburn-Rupert; lease and/or purchase of property at northeast corner of interchange 208; improvement of Main-Overland intersection in Burley; and improvement of the road through City of Rocks National Historic Reserve; and traffic control signals on Overland Road in Burley at 4th Street and 7th Street.

April 23, 1993

Chairman Combo said the status of the Juniper rest area would be discussed by the Board at its June meeting. Member Mitchell suggested the committee support the Board's telegram to Idaho's Congressional delegation urging funding of the transportation portion of an economic stimulus plan. The committee members were also told that as roads are requested for addition to the state's highway system, the Board needs help with removal of low volume roads in order to maintain balance with existing resources.

Senator Darrington thanked the Board for funding of 500 South Road and the Department's efforts on replacement of the Downard Bridge. Representative Kempton appreciated the excellent maintenance efforts during this last winter, the input received from the Board on SB1025 transferring the ports of entry to the Department of Law Enforcement, and the efforts to resolve the snail issue on the Downard Bridge. Representative Antone said the Juniper rest area is in the right place. Representative Kempton asked if semis are unsafe while Representative Cameron suggested that legislation may be necessary to require mud flaps on trucks on present splash and spray. Clay Handy indicated that the Governor's Motor Carrier Advisory Committee had discussed the issue of a speed differential for trucks and was told that it was not possible in Idaho.

The Board and staff lunched with the committee, then went into regular session at 1:00 PM.

March Board Minutes. The March 25-26, 1993 Board minutes were approved as corrected by the Board members.

Board Meeting Dates. The following meeting dates were scheduled by the Board:

May 4, 1993 - Boise, Special Meeting
 May 20-21, 1993 - District 6
 June 28-29, 1993 - Boise (note change in date)
 July 26-27, 1993 - District 1
 August 19-20, 1993 - District 3
 September 16-17, 1993 - Boise

Quarterly Report for FY-Program Obligations. For FY93, \$23.44 million have been obligated to date.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

ST-5120(606), Key 5336, Lightning Creek Bridge Deck, Clark Fork, Bonner County, SH-200, District One. Low bidder: Duarte Construction Inc., Bonners Ferry, Idaho - \$117,055.79.

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ST-5110(618), Key 5374, Mottileme Creek to Plummer, Benewah County, US-95, District One. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$672,384.95.

BRF-4211(005), Key 0792, Kooskia Bridge, Idaho County, District Two. Low bidder: West Wood Corporation, Spokane, Washington - \$2,544,159.45.

ST-2340(601), ST-2340(602), & STM-2340(600), Keys 5341, 5342, & 4860, Fairfield East & East of SH-46 & SH-75, East of Jct. SH-46 to Jct. SH-75; Camas & Blaine Counties, District Four. The low bid was more than 25 percent under the engineer's estimate, requiring justification. Differences in bid and estimated prices for plantmix and asphalt are approximately 24 percent of the engineer's estimate, which was based on a project bid six months earlier, three miles from this project site. Early season bidding and contractors eager to get jobs have produced unexpectedly low bids. Three of the bids were quite close, indicating that the State has a good bid for the project. The Board concurred with staff's recommendation to award this bid. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,404,159.00.

Removal of SH-39/I-86 Business, RS-1721(022), American Falls, District Five. ^{Key 1578} This project was completed and opened to traffic in October 1992. The city of American Falls and Power County Highway District agreed to assume jurisdiction of former portions of State Highway 39 in the Road Closure and Maintenance Agreement, dated February 1991.

The transfer of highway jurisdiction has been delayed because of a problem involving ITD, Power County Highway District and a local property owner. Rather than hold up the transfer of the former section of SH-39 to the city of American Falls until the issue in Power County Highway District is settled, staff is recommending that the Department transfer jurisdiction of that portion of the route lying within the city of American Falls.

Without objection, the Board approved transfer of portions of former SH-39 to the city of American Falls, as shown in Exhibit 80 which is made a part hereof with like effect.

Hazardous Materials Endorsement Program. When the Board members met with employees from the Registration Services Section in February 1993, the question of why ITD is subsidizing the Department of Law Enforcement's (DLE) hazardous materials endorsement program was raised. Staff researched the subject and provided information to the Board.

Idaho Code requires that transporters of hazardous materials purchase a hazardous materials endorsement at the time of registration or at registration renewal. The accrued revenue is deposited in the Hazardous Material/Hazardous Waste Transportation account for law enforcement. A portion of the revenue collected is paid to the state highway account to offset the administrative expense of issuing the endorsements using an ITD registration employee, the ID automated system and Port of Entry employees who issue endorsements not issued at the time of registration.

ITD is subsidizing this program for the following reasons: 1) in 1986, at the beginning of the program, both ITD and DLE were aware that the \$3.00 fee per hazardous endorsement was insufficient to cover costs and accrue sufficient revenue to the hazardous account. A decision was made to charge DLE approximately \$1.00 per endorsement until the fee could be increased legislatively. DLE agreed to pay the system design and programming costs. Since that time, DLE has made at least two attempts legislatively to increase the endorsement fee. Both attempts met with stiff opposition from the trucking industry. 2) If ITD charged the actual administrative costs, approximately \$2.30 of each \$3.00 endorsement would go to administration and the remaining \$.70 would accrue to the hazardous account for hazardous waste monitoring and inspection, and for equipping and training law enforcement personnel. Little would be gained in protecting against hazardous waste problems while ITD could be criticized for absorbing the majority of the fee for administrative costs, even if justified.

The Board members directed staff to discuss with DLE 1994 legislation to increase the hazardous endorsement fee to the needed level.

Research and Training by National Center for Advanced Transportation Technology (NCATT), University of Idaho. Since 1987 the Department has supported a continuing research agreement with the Civil Engineering Department of the University of Idaho. The 1991 Intermodal Surface Transportation Efficiency Act designated the University of Idaho as a NCATT. ITD proposes to support the NCATT in return for special research and training in the CADD and video technology areas. The project for October 1991 - September 1993, RP 117, is Development of Highway Design, Visualization, and Software Applications, estimated at \$88,856, with \$70,529 to be funded through HPR-PR-PL0010(015). The University of Idaho will produce \$18,326 local match.

Without objection, the Board approved RP 117, research and training in the CADD and video technology areas, in the amount of \$88,856.

New State-funded Project for FY94, Pegram Road to Border Junction, US-30, District Five. District staff is requesting the addition of this pavement rehabilitation project for FY94. This section of highway has significantly deteriorated over the winter and needs immediate repair to avoid more expensive reconstruction measures later. This project, estimated at \$1.8 million, can be ready for construction this summer.

Without objection, the Board approved the Pegram Road to Border Junction project in the State-funded Program for FY94 in the amount of \$1.8 million.

Director's Items. Acting Director Green said the lease proposal for an aircraft is out for bid.

Board Policy B-18-02, Personnel Actions, was approved as revised without objection.

April 23, 1993

Mary Bradford was selected as the Personnel Officer. She will be introduced to the Board at the June meeting.

The consultant to review port operations is also looking at Inkom and Cotterell.

Legislative procedures for 1994 have been reviewed and considerable improvements made to the internal process.

The Board agreed that a follow-up employee opinion survey should be done approximately one year after a permanent director is named.

Acting Director Green was asked by the Governor to participate in the Hay audit steering committee which will review the employee pay system.

The Board reviewed the proposed reorganization of motor carrier operations and agreed, without objection, to establishing a Division of Motor Vehicles with a Bureau of Motor Carrier Services. The Division Administrator would be an exempt position. The Board had questions about the placement of the motor vehicle accounting function and the port of entry position in the organization. Those details will be further discussed with the Acting Director at future meetings.

President Clinton's economic stimulus plan appeared to be dead in Congress. The Board, therefore, issued a telegram to Idaho's congressional delegation to support funding of the transportation portion of the stimulus package.

CMAQ funding was discussed by the Board and members agreed that projects would be approved on a year-to-year basis.

The Board asked that internal procedures be revised so that owners of outdoor advertising signs that have been posted as illegal have an opportunity to informally review the findings with management prior to going to a hearing officer. Those findings and alternatives should be in writing.

Location and Design of Twin Falls-Filer Projects STP-F-2360(100), NH-F-2390(101), and NH-F-2391(055), Keys 3845, 4784 and 1045, US-30, District Four. A public hearing for these three projects from Filer to Twin Falls was held in December 1992. The most significant concern focused on preservation of historical structures. One structure will need to be removed; however, procedures are being followed to provide appropriate historical documentation prior to demolition or removal of the structure.

Subsequent to the hearing, it became necessary to adjust the full access control limits near the US-93/30 interchange. The adjustments were presented to the affected property owners and they were given an opportunity to comment and advised that their comments

would become part of the official hearing testimony. One property owner responded with a written statement that included an objection to the adjustment.

Meeting with Property Owners on Twin Falls-Filer Project, NH-F-2391(055), Key 1045, US-30. Chairman Combo indicated the Board toured the projects the day before and had reviewed the proposed plans and testimony from the December 17, 1992 location and design public hearing.

Bert Tolbert asked the Board to approve the alignment that was proposed at a public information meeting on April 8, 1992. Since that time the alignment was adjusted to curve around his property which includes a house that is eligible for placement on the historic register. Staff indicated federal regulations require the missing of any historic property unless there is no other practical alternative. Mr. Tolbert intends to move the house to another location on his property. Until the house is relocated, the project must bypass it.

Paul Sliger is concerned with the proposed irrigation system. He says water can't run up hill as the plans show.

Greg Hull, owner of Curry Bean, asked the Board to shift the alignment north to take his property. He believed the expense would be less than affecting both his property and that to the south.

The Board asked staff to look at the delays incurred with this splitting of the project and the cost comparison of the proposed alignments. The Board also asked the District Four Engineer and ITD counsel to meet with the counsel for the property owners to determine a course of action that would not jeopardize federal aid and incur delays in the project(s).

Vice Chairman Smith moved, seconded by Chairman Combo, that location and design of phases one and two of the project [STP-F-2360(100), Key 3845, and NH-F-2390(101), Key 478] be approved as presented at the public hearing with adjustments in the access control limits as discussed in the design study report. Location and design of phase three of the project [NH-F-2391(055), Key 1045] was approved subject to the possibility of minor modifications of the alignment. Motion passed unopposed.

Right-of-Way Use Permit 3-93-189, HES-3782(7), SH-69, District Three. Tower Associates, Inc. has requested a 35-foot commercial approach in a partial control access area at Station 420+12.5 to serve a proposed convenience store on the corner of Overland Road and SH-69.

Staff reported that the safety and capacity of the highway would be adversely affected by the addition of the requested approach.

Delegation - Counsel for and Owner of Tower Associates regarding Right-of-way Use Permit 3-93-189. Attorney Steve Bradbury, Jon Manchester and land use planner Becky Bowcutt described the circumstances surrounding the right of access to property on SH-69,

April 23, 1993

southwest of the Meridian I-84 interchange. They contend that the right-of-way deed was improperly granted because the majority of Tower ownership had not authorized the conveyance of rights of access.

Vice Chairman Smith moved, seconded by Member Mitchell, that any decision be deferred until ITD's counsel could review the issues and report before the May Board meeting. The Board would then discuss the subject again at the regular May 20-21 meeting.

Condemnations, Parcels 131, 139, 142 and 144, Project IR-F-5116(071) Key 4458, Colburn, US-95, District One. Chairman Combo wanted written assurance that the Department would not be held responsible for hazardous waste on parcel 131. Until issues are resolved, the Board deferred action on all condemnation actions. Motion by Vice Chairman Smith, seconded by Member Mitchell, to defer action on Parcels 131, 139, 142 and 144, and instruct staff to shorten the project in the vicinity of Station 402 to eliminate these properties. Motion passed unopposed.

Revision to Board Policy B-14-08, Movement of Utilities. The Board members requested a revision to a position title in this policy, then resubmit it at the May meeting.

Out-of-State Travel Report. The Board reviewed the requested travel and commented on excessive travel.

Revision to Board Policy B-06-08, Professional Services Agreements. The Board asked for clarification in this policy on the agreements the Department Director can approve, versus those agreements that need Board approval. Also, this policy should be changed to require a monthly report to the Board on professional services utilized, rather than an annual report.

Staff will make these revisions and present B-06-08 at the May meeting.

Rail-Highway Grade Crossing Protection Account. The Board members reviewed the status report of State Railroad Grade Crossing Protection funds. The projects will be funded in the order they are received for obligation, and there will be no deficit funding in this account. On next year's report, the Board would like to see a comparison of accident data for rail-highway and motor vehicle for the same time frame.

Weight Distance Tax Penalty Waivers. Section 49-436(7) Idaho Code allows the Department to waive all or a portion of the penalty for late filing of weight distance tax. ITD Rule 39.B.22 further defines the criteria used to determine whether the penalty is excused. In the past, the Motor Vehicle Accounting Manager and the Registration Services Manager approved all penalty waivers. Idaho Code allows the Department to remit or excuse all or part of the penalty if satisfied the delay was excusable. It has been the policy of the Motor Vehicle Bureau to grant one penalty waiver to carriers who are assessed a penalty during their first audit or during their first year of operation.

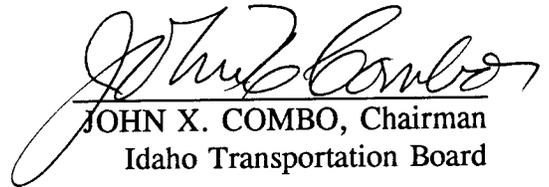
Staff requested Board approval on four waiver requests. Without objection, the Board approved waivers totaling \$4,022.32 for the following accounts: #18163-6, #89254-7, #50198-1, and #46935-3.

Member Mitchell asked for information on the location of carriers with taxes to be waived; how long the carrier has been operating; the total amount of tax due; and the period of time covered by the waiver.

Summary of Legal Pending Cases. This item was deferred to the May Board meeting.

Authority to Negotiate and Acquire Right-of-Way Valued over \$100,000, Clear Lake Grade, STP-RS-2709(006), Key 3586, Parcel No. 2, District Four. The Board concurred with the District Engineer's recommendation to negotiate and acquire the necessary right-of-way valued in excess of \$100,000.

WHEREUPON, the Board meeting adjourned at 4:00 PM.



JOHN X. COMBO, Chairman
Idaho Transportation Board

Read and Approved
May 4, 1993
Boise, Idaho

April 23, 1993

Special Meeting of the Idaho Transportation Board

May 4, 1993

The special meeting of the Transportation Board convened at 9:40 AM in Boise, Idaho in the Transportation Building. The following people were present:

John X. Combo, Chairman - Region 1
Leon E. Smith, Jr., Vice Chairman - Region 2
Mike P. Mitchell, Member - Region 3
Mary F. Detmar, Executive Assistant to the Board
Sue S. Kaufman, Administrative Secretary to the Board
G. Keith Green, Acting Director
Jack Coe, Division Administrator, Federal Highway Administration

Public Input Meetings on the Transportation Improvement Program. The Intermodal Surface Transportation Efficiency Act of 1991 mandates public involvement in planning transportation projects. ITD will be hosting meetings to cover the areas of planning and presentation of the Statewide Transportation Improvement Program, as required. Chief of Transportation Services Jerry Dick explained that the process ITD will be utilizing for the public input meetings is similar to the "open house" format recently developed for the Department's public hearings.

Julie Stutts, Public Involvement Coordinator, has been working extensively on the coordination of these meetings. Two meetings will be held in each District during July 1993, and an intensive advertising campaign will be conducted for each meeting.

The Board members approved the process for the public input meetings on Idaho's Transportation Improvement Program.

Idaho Press Club Award. Jeff Stratten and Julie Stutts received an Idaho Press Club award for their publication of the 1993 Annual Report. The publication competed against hundreds of entrants from both public and governmental entities.

The Board members congratulated the staff for receiving the Press Club Award.

Actions from April Delegations to the Board, District Four. The Board asked staff to evaluate and provide options to the Board at its June meeting on the following presented to the Board during its tour of District Four: signal at US-30 and Clear Lake Road in Buhl; elimination of three 90 degree curves west of Buhl; improvement of intersection at SH-75 and Sun Valley Road, at SH-75 and 2nd Street, and SH-75 and East Fork Road; addition of turn bays and right-turn lanes at intersections on SH-75; wind break on I-84 between Cotterel and Sweetzer interchange, and contact Forestry Department at University of Idaho about a similar project on I-15 near Osgood; improvement of Main-Overland intersection in Burley;

May 4, 1993

traffic signals on Overland Road in Burley at 4th and 7th Streets; and improvement of intersection at SH-75 and entrance to Hailey maintenance shed. This last item is to be given top priority and completed before the 1993-94 winter season.

Addition of Hagerman-Wendell Road to State Highway System, District Four. At this time, the Hagerman-Wendell Road does not meet the Department's criteria for addition to the state's system. The District is to keep the request in mind as the Hagerman Fossil Beds National Monument develops and traffic trends change.

Traffic Signal at Intersection of SH-75 and Airport Way in Hailey, District Four. Currently, no justification exists for a traffic signal at the intersection of SH-75 and Airport Way in Hailey. This will be communicated to the Blaine County Commission and Friedman Memorial Airport Manager.

Requests from Mini-Cassia Transportation Committee. The Board directed staff to encourage the Mini-Cassia Transportation Committee to apply for enhancement funds for landscaping at the I-84 interchanges at Burley and Rupert. Staff should also explain the enhancement fund application process and discuss maintenance of the landscaping with the Committee.

The District is to continue working with the Committee on purchasing property on I-84 at interchange 208.

James vs. ITD. Chief Legal Counsel Trabert reported a summary judgment has been ruled in ITD's favor. He added that the appeal period is not over, and the Department can expect an appeal.

Juniper Rest Area. Vice Chairman Smith made a motion to leave the Juniper Rest Area at its present location. Staff is to continue the current study of criteria and guidelines for rest areas. The motion passed unanimously.

Coeur d'Alene Lake Drive. The Board members expressed concern that ITD and the Department of Parks & Recreation are not coordinated in the effort of maintaining the bike trail. The Board requested staff to proceed with a draft maintenance agreement between the two agencies.

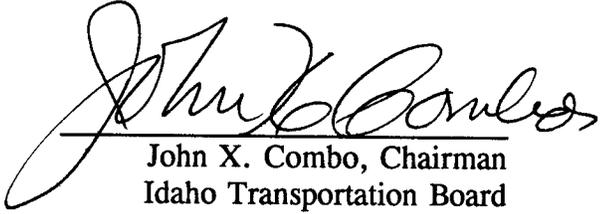
Executive Session on Personnel and Legal Issues. In accordance with Section 67-2345(b), Idaho Code, the Board met in executive session at 11:40 AM with the Acting Director and Executive Assistant to the Board to discuss personnel issues. The Board members then met with Chief Legal Counsel, in accordance with Section 67-2345(f), Idaho Code, to discuss legal matters. The executive session ended at 1:00 PM.

April Board Minutes. Chairman Combo moved, seconded by Vice Chairman Smith, to approve the April 22-23, 1993 Board minutes as amended. The motion carried.

May 4, 1993

Exempt Employees' Salary. The Board members approved a 2 percent increase to exempt employees' salary.

WHEREUPON, the Board meeting ended at 1:20 PM.



John X. Combo, Chairman
Idaho Transportation Board

Read and Approved
May 20, 1993
Rigby, Idaho

May 4, 1993

*Minutes - Special Meeting of
June 7-8, 1993*

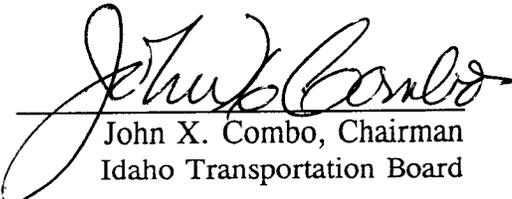
The special meeting called by the chairman, the other two (2) members agreeing, under authority of Section 40-308 Idaho Code, convened in the Conference Room at the offices of the Idaho Personnel Commission at 9:00 AM Monday June 7, 1993. All three Board members were present. The Board met from 9:00 AM to 5:00 PM on the 7th and from 9:00 AM to 12:00 noon on the 8th.

The purpose of the meeting, an executive session, agreed to by all three (3) members, identified by the Chairman as authorized under Section 67-2345 (1)(a) ("to consider hiring a public officer") was to review the applications received by the Director, Personnel Commission, for the vacant ITD Director's position.

The Board members reviewed all two hundred thirty three (233) applications filed with the Commission.

The Board asked the Director, Personnel Commission, to obtain clarifying information by phone from some of the applicants and report it verbally to the Board when it again met in Executive Session at the Commission's office during the Board's next regular meeting June 28-29; the exact time to be determined. The Board agreed that such would be in executive session under the above cited code provision.

No applications were eliminated.


John X. Combo, Chairman
Idaho Transportation Board

Read and Approved
June 29th 1993
Boise, Idaho

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**REGULAR MEETING AND DISTRICT 6 TOUR
OF THE IDAHO TRANSPORTATION BOARD**

May 20-22, 1993

At 8:20 AM on May 20, 1993 the Board members and staff met with employees at the Idaho Falls Maintenance Station. The Board asked about sand shed design. Employees agreed that a covered shed would be desirable to keep sand dry in the winter.

On the way to Rigby from the Idaho Falls Maintenance Station, the Board and staff viewed several highway projects.

The Idaho Transportation Board and staff met in regular session at 9:30 AM on May 20, 1993 in Rigby at the District 6 conference room.

The three Board members indicated they had been in Shelley at 7:00 AM that morning and viewed the vehicle and pedestrian activity on US-91 at the Center and Fir intersections. (See later discussion on this issue.)

The following people were present:

John X. Combo, Chairman - Region 1
 Leon E. Smith, Jr., Vice Chairman - Region 2
 Mike P. Mitchell, Member - Region 3
 Mary F. Detmar, Executive Assistant to the Board
 G. Keith Green, Acting Director
 Jim Ross, District 6 Engineer
 Clyde Gillespie, District 6 Assistant Engineer
 Jack T. Coe, Division Administrator - Federal Highway Administration

Also present at the meeting were Representative Wood and State Public Transportation Council member Annette Lee.

May 4, 1993 Board Minutes. The minutes of the May 4, 1993 special Board meeting were approved as distributed to Board members.

Board Meeting Dates. The following meeting dates were scheduled by the Board:
 June 28-29, 1993 - Boise
 July 26-27, 1993 - District One
 August 19-20, 1993 - District Three
 September 20-21, 1993 - Boise
 October - District Five
 November - District Two
 December - Boise

May 20, 1993

Reappointment to the State Public Transportation Advisory Council (PTAC). The District V representative to the PTAC is serving a limited one-year term, expiring in June 1993. Janis Rhoades, Director of the Southeastern Community Action Agency, was appointed to serve this term. Staff recommended reappointing Janis Rhoades to the PTAC for a six-year term, expiring June 1999.

Without objection, the Board approved the reappointment of Janis Rhoades to the State Public Transportation Advisory Council for a six-year term, expiring June 30, 1999.

Substitution of Projects in District 6. The FY93 project, Shelley New Sweden Road to Old Butte Road, key 385 on US-20, will not be ready by September 30, 1993 because of difficulties encountered in obtaining right-of-way. District 6 staff is requesting delaying this \$4 million project in the National Highway System (NHS) Program to FY94 and advancing keys 4468 (NHS Program in the amount of \$1,840,000) and 4783 (State Highway Development Program for \$1,460,000) from FY94 to FY93 because both projects are ready to go to contract now.

Without objection, the Board approved delaying US-20, Shelley New Sweden Road to Old Butte Road, key 385 from FY93 to FY94 and advancing US-20 Beeches Corner to Ririe, key 4468 and SH-28 Jct. SH-22, North, key 4783 from FY94 to FY93.

Board Policy B-05-13, Approval or Denial of Mobile Home Moves. At its March meeting, the Board asked staff to create a Board policy that would delegate authority to the Director for approving or denying mobile home moves in excess of the dimensions allowed by Rule 39.03.17 (formerly Rule 39.C.17). Delegation of this authority to the Director or his designee will expedite the movement of mobile homes.

Without objection, the Board approved Board Policy B-05-13, Approval or Denial of Mobile Home Moves.

Approval of Board Policies B-05-34, Closures or Restricted Use of State Highways, and B-11-01, Transportation Improvement Program. B-05-34 was revised to give the State Highway Administrator authority to close or restrict the use of state highways when necessary. Board Policy B-11-01 was rewritten to include the airport development program.

Without objection, the Board approved Board Policies B-05-34, Closures or Restricted Use of State Highways, and B-11-01, Transportation Improvement Program.

Out-of-State Travel. The Board reviewed the travel requested and had no questions or comments.

Correction to Deed, Materials Source Ad-78, District 3. An error in the description was made on the original deed for the sewer easement on Materials Source Ad-78. This deed was signed by the Transportation Board in 1989 and recorded.

May 20, 1993

The error was discovered, so staff presented a corrected easement to the Board. The members signed the corrected easement so it can now be recorded properly.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

NH-STP-IR-5110(100) and STKP-1566, Keys 4631 and 5066 - Rock Creek and Bonners Ferry, Boundary County, District 1. Low bidder: Deatley Company, Inc., Lewiston, Idaho - \$2,480,756.15.

STP-RS-5740(001), Key 3331, West Riverview Road, Kootenai County, District 1. Low bidder: K. C. Construction, Inc., Hayden Lake, Idaho - \$1,265,174.00.

STM-3270(602), Key 4711, Cascade Siphons, Valley County, District 3. Low bidder: AGI Construction, Inc., Boise, Idaho - \$179,979.89.

STM-0003(608), Key 5036, District Wide Brooming, Ada County, District 3. Low bidder: Allied Construction, Inc., Boise, Idaho - \$85,445.00.

STP-HES-8313(100), Key 4625, Int. SH-45 and Lake Lowell Avenue, Nampa, Canyon County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$248,972.67.

STKP-3640, Key 4325, Meridian Stockpile, Ada County, District 3. The low bid was more than 25 percent under the engineer's estimate, requiring justification. The 1/2" aggregate in stockpile and the cover coat material Class 4 in stockpile items were the items of significant difference. The aggregate difference was in the haul lengths. The source for materials site in the project is nine miles from the stockpile site. However, a couple of sources are available to contractors one to two miles from the stockpile site, lowering the bids. The haul difference was the same for the cover coat material Class 4 item, plus the engineer's estimate was too high on this item. The Board concurred with staff's recommendation to award this contract. Low bidder: Bryan C. Rambo Crushing Company, Inc., Nampa, Idaho - \$124,260.00.

BLDG-91014, Key 5541, Holstead Demolition, Boise, Ada County, District 3. Low bidder: Alchemy Construction, Boise, Idaho - \$999.99.

IM-184-1(018)0, Key 5400, Wye I.C. Br. Rehab, Ada County, District 3. The low bid was more than 25 percent under the engineer's estimate, requiring justification. After reviewing the bids, discrepancies were found in the prices of the bridge items. The Bridge Section had inflated their estimate by 25 percent to account for the accelerated construction schedule required on the project and for labor-intensive construction methods. Apparently the contractor chose to perform the accelerated schedule by another means which was less labor intensive. The Board concurred with staff's recommendation to award this contract. Low bidder: McAlvain Construction, Inc., Boise, Idaho - \$206,504.00.

May 20, 1993

IM-84-2(043)50, Key 5398, Commercial Frontage Road at Cole/Overland, Ada County, District 3. The low bidder was more than 25 percent under the engineer's estimate, requiring justification. This project included the removal of three buildings and some asbestos removal in the buildings. ITD's asbestos survey showed approximately \$18,000 of asbestos to be removed prior to removal of the building, which is what the engineer's estimate was based on. The bidders estimated the salvage value of the buildings higher than ITD did. The Board concurred with staff's recommendation to award this contract. Low bidder: Gillingham Construction, Inc., Boise, Idaho - \$1,994.10.

Approval of Board Policies B-14-01, Damaged or Obsolete Railroad Crossing Gates and/or Signals, and B-14-08, Movement of Utilities. Board Policy B-14-01 was updated for references, titles, and editing of text material. The Board Secretary position title was returned to Board Policy B-14-08, as requested at the April Board meeting because that is the official title listed in Idaho Code.

Without objection, the Board approved the revisions to Board Policies B-14-01, Damaged or Obsolete Railroad Crossing Gates and/or Signals, and B-14-08, Movement of Utilities.

Illegal Outdoor Advertising Signs, #34063 and #34064, I-84, District 3. At its March 1993 meeting, the Board reviewed the Hearing Officer's Findings of Fact and Conclusions of Law concerning the legality of two outdoor advertising signs owned by Sand Hollow Country Stores. Randy Cone, petitioner, appeared before the Board to appeal the Hearing Officer's decision.

The Board affirmed the Hearing Officer's decision but sent the Order back, asking that it be rewritten in user-friendly language.

The Board unanimously affirmed the revised Hearing Officer's decision. A copy of that order is shown in Exhibit 81 which is made a part hereof with like effect.

Authority to Negotiate and Acquire Property, IM-IR-184-1(8)0, Key 2520, Parcels 33 and 35, I-84, District 3. Parcel 33 is a 1.15 acre residential parcel improved with a home and concrete block shop. The house will be taken, but not the shop. Parcel 35 is a 15.34 acre rural, residential parcel improved with a home, shop, barn and other outbuildings. The house is not taken, but the shop, barn and three sheds are.

Without objection, the Board approved the negotiation for and acquisition of parcels 33 and 35 in excess of \$100,000 each.

Director's Items. Acting Director Green said the bids on a replacement aircraft would close May 27.

May 20, 1993

Hay and Associates will study employee job classifications. During a visit with data processing employees in March, the Board heard concern about salary inequities between the state and private industry. The Hay study will address some of the employee concerns. In the meantime, the Department is aware of the problem and working on a solution.

Management recommendation to the Board on administrative leave for fitness activities was to not allow the requested one-half hour three times a week. The Board was also concerned that the practice would be difficult to defend to the public. While the Board members did not authorize administrative leave for fitness activities, they recognized the contributions of the wellness committee and continued to support the rest of the proposals for wellness and fitness of employees.

Sandpoint. Marv Hoyt, District 6 Environmental Planner, is also on the team working on the draft environmental impact statement for Sandpoint North and South. He updated the Board on the project's status and indicated the draft EIS should be available for public comment early in 1994 with the location public hearing sometime in spring of 1994.

Rexburg South. Mayor Boyle, Senator Ricks, and Representative Linford asked to meet with the Board to discuss Ricks College expansion to the south and the need for an alternative transportation corridor in the city. That route would include South 7th, Second West and 11th South. A representative from the college said that Ricks could participate financially in an LID, but not for streets.

The Board asked the staff to evaluate the request and return to the Board with a recommendation.

The Board was asked to consider additional signing for Ricks College from I-15 at Idaho Falls and Sage Junction. The staff will look at that request as well and report back.

Sugar City. Representative Linford asked for an update on the request from the city to the Board for an overpass at Sugar-Salem Road. Chairman Combo said the data shows ten intersections between Idaho Falls and Chester on the divided highway, US-20. Some of the intersections have a higher accident rate than the one at Sugar City. District 6 Engineer Ross told the Board that an entrance sign and intersection illumination had been installed which could be of some help.

Proposed Western Association of State Highway and Transportation Officials (WASHTO) Resolution on Intermodal Surface Transportation Efficiency Act (ISTEA-91) Longer Combination Commercial Vehicles (LCVs) Freeze. In December 1992, the WASHTO Subcommittee on Highway Transport formulated a proposed resolution appealing to Congress to remove the freeze on LCVs which was mandated by the ISTEA. This freeze prohibits the increase of LCV weights on the interstate system and the increase in dimensions or the addition of any new routes on the National Network. The freeze on LCVs was retroactive regarding weight, size and routes which were in effect on June 1, 1991.

May 20, 1993

The LCV freeze effectively prevents individual states from setting their own policies on LCVs and prevents groups of states from working toward uniformity of LCV size and weight laws and regulations to promote more efficient, lower cost movement of freight by truck.

Testimony from Idaho Motor Transport, Union Pacific Railroad and Burlington Northern is on file in the Board's offices in Headquarters.

Testimony on WASHTO Resolution. Heber Andrus of Doug Andrus Distributing asked to testify on the WASHTO Resolution before the Board for consideration. He said the issue was not just a transportation matter for the trucking industry. He is interested in the economics of the state as well as his own business. Andrus believed that railroads provide less service to outlying regions and there is a need for trucks to transport commodities from those regions not serviced by rail.

After reviewing written testimony from the trucking and railroad industries, and the oral testimony provided at the meeting, Vice Chairman Smith moved, seconded by Member Mitchell, that the Board members direct staff to vote affirmatively to support the WASHTO Resolution appealing to Congress to remove the freeze on longer combination vehicles. Vote on the motion: Mitchell, aye; Smith, nay; Combo broke the tie by voting aye. Motion carried.

Member Mitchell reminded the other Board members that the cost allocation study which he chairs will report to the 1994 state legislature on costs paid by users.

Delegation - Shelley Traffic Lights on US-91. Mayor Worlton, Supervisor of Transportation for the Shelley School District Bob Welker, Chief of Police Bob Dial, and several other Shelley residents and business people asked the Board to again consider installation of traffic lights on US-91 at Center Street and Fir Street. Representative Alan Larsen attended representing Majority Leader Twiggs and House Speaker Simpson and supported the delegation's request.

Chairman Combo told the group that he and the other two Board members visited those locations that morning for about 45 minutes at 7:00 AM. They observed the vehicle and pedestrian activity during that period.

District 5 Traffic Engineer Ray Wright described the District's three traffic count studies performed in 1991 and 1992. All of the studies indicated that there was not enough traffic to justify a traffic signal at either location at this time. He explained that the counts have to be over a particular level for all eleven criteria. Projecting into the future, a signal at Fir might be justified in three years, with one at Center justified in 5 years.

Chairman Combo said that no federal funds could be used to install a signal that is not warranted. The Board has adopted the federal requirements as its own.

May 20, 1993

Vice Chairman Smith was impressed with the group's passion for these projects but is not convinced that a signal will solve the problem. He said the Board and Department will continue to work toward an acceptable solution.

Member Mitchell suggested the city should at least look at striping the crosswalks so people know where they can walk. He was also disturbed by the many children not following general bicycle rules of safety and thought an education program would be beneficial.

The Board took the matter under advisement.

District 6 Tour. From Rigby, the group traveled to the Bonneville County Courthouse in Idaho Falls and met with county employees who were licensing drivers and issuing vehicle registrations. They asked if the computers in Boise could be activated earlier in the morning and continue to be on-line when the county stays open late on Thursday nights.

The Board asked the staff to review and evaluate the request, then report back.

Idaho Falls Municipal Airport Operations. The group then traveled to the Idaho Falls Fixed Base Operator, Aero Mark, and met with Aeronautics Administrator Cooper and Aeronautics Advisory Board Chairman Hill. The Board toured the FedEx operation center, a regional emergency medical evacuation unit and the ~~airport~~ *fixed base operation, Aero Mark.*

Public Transportation in Idaho Falls. CART Director Thorpe and State Public Transportation Advisory Council member Lee met with the Board and described the program for the elderly, handicapped and those users in the rural area.

The Board meeting and tour of District 6 recessed at 5:30 PM.

May 21, 1993

The Board meeting and tour of District 6 reconvened in Idaho Falls at 7:30 AM on Friday, May 21, 1993.

The District tour began in Idaho Falls and proceeded west on US-20 to Arco. Along the way, a stop was made at the Lost River rest area and the Board met the District's caretaker. She was concerned about a sign that obstructs her view of incoming users. For safety reasons, she asked if the sign could be relocated. The District will review the request.

In Arco the Board met with employees at the maintenance shed. They endorsed a project on Tom Cat Hill to provide for snow storage. They also supported the concept of a covered shed for sanding material.

May 21, 1993

Meeting with Butte County Commissioners. All three commissioners accompanied the Board and staff on a tour of Tom Cat Hill west of Arco on US-20. District Engineer Ross explained the District's improvement of the hill by widening it and adding a truck climbing lane. The commissioners were extremely pleased with the planned project and were happy with the shoulder work recently done by maintenance employees. They were also appreciative of the District's attention to the Darlington curves on US-93.

From Arco the Board tour continued on US-93 north to Mackay. Several highway projects were viewed along the way.

The Board meeting reconvened at the Mackay Maintenance Shed at 11:30 AM. The three Board members were present. The following items were covered:

Condemnations, Project NH-IR-F-5116(071), Key 4458, Parcels 131, 142 and 144, Kootenai Cutoff to Colburn, US-95, District 1. At its April 1993 meeting, the Board deferred action on these parcels and instructed staff to shorten the project in the vicinity of Station 402 to eliminate these properties.

Staff provided information on the consequences of shortening this project. The Board rescinded its decision in April to shorten the project and authorized condemnation on parcels 131, 142, and 144. The Board also approved settlement on parcel 139.

Quarterly Legal Report. Chief Legal Counsel Trabert briefed the Board on pending legal cases.

The Board members discussed contract claims disputes on construction projects. They would like the Department to report in August on alternatives.

Chief Legal Counsel Trabert and FHWA Administrator Coe left Mackay via state plane to return to Boise.

From Mackay, the tour continued north on US-93 to the rock column south of Challis. Representative Barrett and a local resident (Allen Getty) discussed the stability of the rock with the Board and staff.

The Board suggested that the University of Idaho, Bureau of Mines or Department of Geology, look at the cracked wall and determine its stability.

Representative Barrett and Mr. Getty accompanied the Board to the Challis bridge. Mr. Getty asked to coordinate the bridge replacement project with a park being planned on the south side of the Salmon River.

The Board and staff drove from Challis to Salmon via US-93 and remained overnight. The meeting/tour recessed at 5:30 PM.

May 21, 1993

May 22, 1993

The Board meeting and District 6 tour reconvened at 8:00 AM in the Salmon maintenance shed. All three Board members were present. The following items were discussed:

State Institutional Parking Lot and Driveway Improvements. Idaho Code provides a program expenditure up to \$30,000 annually for the Transportation Department to construct, alter, repair, and maintain the roadways, in through, and about the grounds of state institutions. The Department of Administration, Division of Public Works, has requested improvements to the parking lot at the Department of Health and Welfare facility at Coeur d'Alene. Work would include asphalt surfacing, resurfacing, and various repairs and replacement of plant mix asphalt areas.

Staff recommended transferring \$30,000 to the Division of Public Works for design and construction of this project. According to the facility manager for the Department of Health and Welfare, that department will pick up costs above \$30,000.

Without objection, the Board approved transferring \$30,000 to the Division of Public Works for improvement of the parking lot at the Department of Health and Welfare's Moody Center in Coeur d'Alene.

Board Policy B-20-01, Release of Department Information to the Media. The references and signature on Board Policy B-20-01 were updated and minor editing changes were made.

Without objection, the Board approved Board Policy B-20-01, Release of Department Information to the Media, with one revision.

Shelley Traffic Signals on US-91. The Board continued its discussion of the city's request for a traffic signal on US-91 at Center Street and at Fir Street. Alternatives to a signal were examined. Without objection, the Board approved the following course of action:

- Directed the staff to put together a working group of ITD, Shelley, school district and county personnel to study design/signalization alternatives; ITD will report back to the Board before school starts in the fall.

- Authorized and encouraged Shelley law enforcement officials to control traffic at Center and Fir Streets, including the temporary stopping of traffic on US-91, to allow school buses to enter or cross the highway, under recognized safety guidelines.

- Urged the school district, in conjunction with the chief of police, to augment programs of bicycle safety education. The Board members were extremely concerned about all the school children who were not obeying the general rules of safety.

May 22, 1993

- Even though the maintenance agreement with Shelley indicates that the crosswalk striping is the responsibility of the city, the Department will establish and paint crosswalks at Fir Street where there is no crosswalk now. The Department will also paint the crosswalk at Center Street using Department equipment and paint. The financing of this striping will be at Department expense - this one time only.

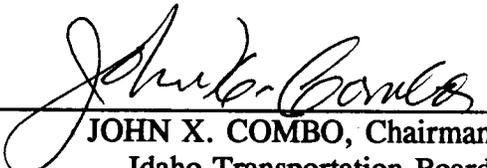
Board Tours/Meetings. The Board members communicated do's and don'ts to staff regarding the conduct of tours and meetings. Those guidelines will be passed on to staff.

Administrative Procedure Act (APA). Executive Assistant to the Board Detmar covered the revised rule-making procedures based on the APA which will be effective July 1, 1993. She expects to save money under the new system. All publication of rules will now be done by the Auditor's Office.

Executive Session on Personnel Issues. In accordance with Section 67-2345(b), Idaho Code, the Board met in executive session at 10:00 AM with the Director to discuss personnel issues. No decisions were made. The executive session ended at 11:15 AM.

Ports of Entry. Acting Director Green discussed the study of the ports of entry by special consultant MacPherson Holt. Vice Chairman Smith moved, seconded by Member Mitchell, that the personnel issues within the report were a management issue and, as such, should be handled by the Director. Motion carried unanimously. The Board also asked the Acting Director to evaluate the suggestions made on general management of the ports and report back any recommendation.

WHEREUPON, the Board meeting and tour of District 6 officially ended at Salmon at 11:30 AM.


JOHN X. COMBO, Chairman
Idaho Transportation Board

Read and Approved
June 29, 1993
Boise, Idaho

May 22, 1993

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

June 28-29, 1993

The Idaho Transportation Board met in Executive Session, in accordance with Section 67-2345(b), at 7:30 AM on June 28, 1993 at the Personnel Commission in Boise, Idaho. All three Board members were present to further review and discuss the applications for the director's position.

The regular session of the Transportation Board meeting began at 9:00 AM in the Transportation Building. The following people were present:

John X. Combo, Chairman - Region 1
 Leon E. Smith, Jr., Vice Chairman - Region 2
 Mike P. Mitchell, Member - Region 3
 Mary F. Detmar, Executive Assistant to the Board
 Sue S. Kaufman, Administrative Secretary to the Board
 G. Keith Green, Acting Director
 Jeff Stratten, Public Affairs Officer
 Jack T. Coe, Division Administrator - Federal Highway Administration
 Judie Wright, Senior Financial Analyst - Governor's Office

FY94 Highway Safety Plan. Before Marie Bishop presented the FY94 Highway Safety Plan, the Board members requested the following:

- Review the procedure for filling the Traffic Safety Commission vacancies, and consider Board involvement in the appointment;
- Provide information and statistics on the number of Idaho drivers driving with suspended licenses, and those without insurance;
- Furnish information regarding the placement of the OHS in other states; i.e. under the Governor's Office, Department of Law Enforcement, Transportation Department, etc., and the pros and cons of placing OHS under DLE;
- Obtain data on where DUI arrests are being made, what police jurisdiction is the arresting entity, and the disposition of the case.

Member Mitchell made a motion, seconded by Vice Chairman Smith, to approve the FY94 Highway Safety Plan, and to authorize OHS to apply for and expend the federal highway safety funds. The motion carried.

Removal of Portion of former US-95 from the State Highway System, Moscow, District 2. With the completion of project F-4110(101) on US-95 in Moscow, C Street between Main Street and Jackson Street, D Street between Main Street and Jackson Street, and Jackson Street between D Street and the new alignment of US-95, are being removed from the State Highway System and being placed under the City of Moscow's jurisdiction.

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Without objection, the Board approved the removal of a section of former US-95 from the State Highway System as shown in Exhibit 82 which is made a part hereof with like effect.

Advancement of I-84 Sweetzer IC to Juniper Rest Area, IM-84-4(005)254, Key 3240, District 4. The District Engineer recommended this preventive maintenance project be advanced in the program from FY94 to FY93. The project is fully developed and ready to proceed to advertising. Due to savings on construction contracts and anticipated delays, there are sufficient funds in the Interstate Maintenance category to advance this project.

Without objection, the Board approved advancing I-84 Sweetzer IC to Juniper Rest Area, project IM-84-4(005)254, from FY94 to FY93.

Board Policies B-05-27, Volunteer Activities, and B-09-08, Bicycle/Pedestrian Facilities. B-05-27 and B-27-04, Volunteer Activities - State Airports, were combined into one policy to cover all volunteer activities. The Board questioned the "fund-raising activities" for state-owned airport projects in Administrative Policy A-05-27, Volunteer Activities, and asked staff to explain that item. B-09-08 was created due to provisions in the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA) and added emphasis for bicycle/pedestrian facilities by the public.

Without objection, the Board approved B-05-27, Volunteer Activities, and B-09-08, Bicycle/Pedestrian Facilities.

Out of State Travel. The Board members reviewed the travel requested and had no questions or comments.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

ST-5110(615), Key 5335 - Bonners Ferry Pedestrian/Bike Path, US-95, Boundary County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. Due to small quantities and long haul distance, the bid prices deviated considerably from the Average Unit Price Guide. The Board concurred with staff's recommendation to award this bid. Low bidder: Reliable Builders, Inc., Bonners Ferry, Idaho - \$38,410.00.

STM-4110(621), STM-4201(567), STM-4114(618), STM-4110(611), STM-4110(606), STM-4201(566), STM-4170(609), STM-4210(606), STM-4809(600), & STM-4110(605), Keys 5455, 4359, 4153, 5214, 4959, 4148, 5619, 5456, 5457, & 4956 - District 2 Seal Coats, Various Locations. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$739,935.00.

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ST-8713(601), Key 5360 - Snake River Bridge to Railroad Overpass, Payette County, District 3. The low bid was more than 25 percent under the engineer's estimate, requiring justification. Plantmix pavement and mobilization were the two items of difference on the bids. Because all bidders bid these items similarly, staff believes the bids were reasonable and very competitive and recommends awarding this project. The Board concurred with the recommendation. Low bidder: Idaho Sand & Gravel Co., Nampa, Idaho - \$134,667.10.

STM-3110(603), STM-3250(602) & STM-3708(601), Keys 4998, 5000, & 5464 - Cambridge to New Meadows, Marsing to Karcher, and Homedale-West; Canyon, Owyhee, Adams and Washington Counties, District 3. Low bidder: Nelson-Deppe, Inc., Nampa, Idaho - \$446,561.45.

STM-2350(600), STM-8102(600) & STM-8072(600), Keys 4850, 4848, & 4851 - US-26, Gooding East; Main Street, Jerome, SH-25; and Lincoln Street, Jerome, SH-79; Gooding and Jerome Counties, District 4. Low bidder: Emery Brothers Construction, Twin Falls, Idaho - \$147,748.96.

STKP-4576, STKP-4585 & STKP-4584, Keys 4704, 4871, & 4870 - South Bellevue, Carey Yard, and East Carey; Blaine and Camas Counties, District 4. Low bidder: Walker Sand & Gravel, Bellevue, Idaho - \$273,845.00.

BRS-2864(013), Key 0597 - Downard Bridge, SE of Rupert; SH-25, Cassia and Minidoka Counties, District 4. Low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$1,879,390.60.

STM-1767(505) & STM-1721(603), Keys 4574 & 4971 - Agency Road to Blackfoot River Bridge and Hoff Road to Jct. US-26; Bingham County. Low bidder: Bannock Paving Co., Pocatello, Idaho - \$264,740.00.

ST-6500(604), Key 5115 - Riviera I.C. to Jameston Road S. of Idaho Falls, Bonneville County, District 6. Low bidder: H-K Contractors, Inc., Idaho Falls, Idaho - \$1,239,813.00.

STP-RS-6856(002) & ST-6856(600), Keys 3330 & 5352 - Beeches Corner and Beeches Corner to Ucon, US-26, Bonneville County, District 6. Low bidder: Beco Construction Co., Inc., Idaho Falls, Idaho - \$1,237,469.85.

ST-1739(601), Key 5367 - Bear River Bridge West of Preston, SH-36, Franklin County, District 5. The low bid was more than ten percent over the engineer's estimate, requiring justification. Major variation was in the prefabricated soil drainage system item to go behind the repaired bridge abutment. This is a Special Provision Bridge Item that is not often used, therefore, more difficult to keep current on pricing. Because the project needs to be built this summer and a delay would be counterproductive, the Board concurred with staff's recommendation to award this bid. Low bidder: C. L. Heilman Company, Twin Falls, Idaho - \$54,214.00.

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ST-2390(624) & ST-2390(609), Keys 5323 & 4760 - Main Street, Hailey, and Jct. SH-75 & 6th St., Ketchum; Blaine County, District 4. The low bid was more than ten percent over the engineer's estimate, requiring justification. Review of the bid prices shows plant-mix, sewer pipe, sidewalk and mobilization account for the majority of the increase over the estimate. Tight phasing of the construction sequencing and a tight time schedule are believed to have been the major causes of the high bid prices on these items. A readvertisement that would allow construction to begin next spring with fewer constraints and additional working days should result in decreased bid prices and lower project cost. The Board agreed with staff's recommendation to reject this bid. See further discussion of the Hailey Main Street project later during the meeting.

The Board asked staff for a presentation on the methods and procedures for estimating construction bids. Statistics on price-fixing and colluding on bids was also requested.

Nampa-Caldwell Boulevard, Wilson Drain to Karcher, M-7963(021), Key 4477, I-84B, District 3. At its February 1993 meeting the Board discussed the possibility of the cities of Nampa and Caldwell participating in the cost of the project by obtaining the right-of-way with an LID. The city of Nampa is interested in participating in the project by acquiring the right-of-way, but the city of Caldwell and Canyon County believe that ITD should acquire the right-of-way.

Caldwell City Engineer Gordon Law told the Board that Caldwell is behind the project 100 percent. However, the city does not have the staff nor the funds to obtain an LID to acquire the right-of-way. He also believes an LID would not be a fair process for the property owners.

Nampa City Engineer Larry Bledsoe was also present for this discussion.

The Board members directed staff to continue to work with the cities of Caldwell and Nampa and Canyon County on alternate funding for this Nampa-Caldwell Boulevard project. Staff is to report its progress to the Board at the August meeting.

The City of Caldwell was to consider segmenting the project, and explore the possibility of having an LID meeting to discuss the project.

Delegation - Property Owners on Twin Falls-Filer Project, NH-F-2391(55), Key 1045, US-30/93, District 4. Attorney Walter Sinclair and his clients Bert Tolbert and Greg Hull appeared before the Board to discuss again the alignment of the roadway and acquisition of property.

Mr. Tolbert's house has been determined to be eligible for listing on the National Register of Historic Places. He has been unable to remove his house from that eligible list. He wanted to begin negotiations on his property immediately. Mr. Tolbert also still contends that the proposed alignment is a safety hazard.

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Staff advised the Board that the current project design meets or exceeds all design standards and safety criteria. No right-of-way appraisals or negotiations can begin until location/design approval is issued and until an approved set of right-of-way plans is made available. Advance acquisition of property is not possible unless a hardship is established.

After reviewing all the information and testimony, Vice Chairman Smith moved, seconded by Chairman Combo, that the District 4 Engineer be directed to proceed with Phase III of the project (Twin Falls ends), get appraisals and begin negotiations for advance acquisition. Motion carried.

Mr. Hull again asked that the alignment be shifted north to miss the Curry Bean property. He believed his business would be placed in jeopardy by traffic flow. He also was concerned about a perceived bottleneck by narrowing the highway in the area of Curry.

Staff estimated that the cost for Mr. Hull's proposed alternative would be \$522,000 compared to an original estimate on the proposed alignment of \$179,000. District 4 Engineer Thomas told the Board that the roadway width would not be narrowed, only the right-of-way needed for the project.

Upon further review of the project information, Vice Chairman Smith moved, seconded by Chairman Combo, that the alignment at the Curry Railroad crossing remain the same as proposed and as was presented at the public hearing. Member Mitchell voted nay; the motion carried.

Actions from District 4 Tour. District 4 Engineer Loren Thomas reported on the activities on a number of projects that were discussed and viewed during the April Board meeting and tour of District 4.

Term Agreement for Auditors. The Internal Review Section has an ongoing need to utilize the services of accountants to perform audits on the cost accounting systems of architectural and engineering consulting firms. These audits are required to develop overhead rates that are used on federal-aid projects. These services could be provided under term agreements, which are professional agreements where the Department preselects and pre-qualifies consultants to be utilized on an "on call" basis. The estimated cost for term agreements for auditors is \$30,000 annually.

Without objection, the Board approved the concept of term agreements for auditors and permitted staff to begin the process of pre-qualifying auditors. The list of pre-qualified auditors should be brought back to the Board.

Supplemental Agreement for Consulting Services for IR-84-2(1)50, Key 2521, Cole/Overland Interchange, I-84, District 3. This project, currently programmed for FY97 in the amount of \$27.2 million, is being designed by a consultant. An updated cost for the project is \$42.6 million, so a value engineering study was conducted to re-evaluate the initial

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concept and alternatives, looking at all viable options and costs, while still providing for the design traffic volumes. The study identified potential cost savings of \$10 million. Staff requested a supplemental agreement in the amount of \$1 to \$1.5 million to implement the recommendations of this study.

The Board deferred this item and requested staff to analyze all design options, and include the cost for each, and identify program impacts.

Supplemental Agreement for Consulting Services, NH-F-3271(037), Key 2793, Eagle Road, Fairview to Eagle, SH-55, District 3. This project, being designed by consultant Higgins Engineering, Inc., was originally negotiated based on a streamlined effort, with the premise of adding to the consultant's scope of work if needed. Staff requested a supplemental agreement in the amount of \$150,000 to provide for additional services including: additional survey effort due to heavy traffic and additional surveying beyond the right-of-way needed for resolution of irrigation issues; inputting the additional survey data into the CADD database; material source investigation; adjusting the grades to most economically fit the existing alignment; and breaking the project out into two projects.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to approve the supplemental agreement for project NH-F-3271(037) in the amount of \$150,000. The motion carried.

Supplemental Agreement for Consulting Services, NH-M-F-7963(019), Key 3790, Blaine Street Bridge Repair, Caldwell, District 3. J-U-B Engineers, Inc. designed this project, which now requires a supplemental agreement to continue designer-related construction services, including: review of shop drawings, on-site reviews, and engineering design and assistance. The agreement is for the amount of \$30,000.

Vice Chairman Smith made a motion to approve \$30,000 for a supplemental agreement for project NH-M-F-7963(019). Member Mitchell seconded the motion and it passed unopposed.

Consultant Bridge Inspection Services. The Federal-aid Highway Act requires that the state administer a bridge safety inspection program in accordance with Title 23 US Code. All bridges on public highways must be inspected at intervals not to exceed two years, and bridges posted due to known structural deficiencies need to be inspected annually. The Department is requesting to put this work out to consultants.

The local bridges have been grouped together into 13 geographical areas, and the agreements would be negotiated with consulting firms on an individual basis for each of these areas. The agreements would be for a two-year period with the option to renew for two years. Services are estimated to cost \$320,000 per year for a total of \$640,000 for a two-year period beginning January 1, 1994.

Without objection, the Board approved the consultant bridge inspection services, estimated to cost \$640,000 for a two-year period.

Aeronautics Advisory Board (AAB). The AAB and Aeronautics Administrator Cooper joined the Board meeting to discuss the proposed aeronautics policies and report on the recently-leased aircraft. Two ITD pilots have completed the training and are now qualified to operate the airplane. Other than minor radio work, which will be completed at the owner's expense, the plane is perfectly serviceable and in good condition. AA Cooper is planning to meet with other state agency directors to inform them of the availability of the state airplane.

The Board also requested that AA Cooper's term on the Hailey Airport Commission sunset October 1, 1993. A letter will be sent by the Board to the Commission advising it of this decision.

Aeronautics Policies. Board Policies B-27-06, State Aircraft Operation, and B-27-07, Aeronautical Activities, and Administrative Policy A-27-07, Aeronautical Activities, were developed to provide guidance on the operation of the state aircraft and scope of operations for the Division of Aeronautics. The AAB previously reviewed and approved the policies.

Without objection, the Board approved Board Policies B-27-06, State Aircraft Operation, and B-27-07, Aeronautical Activities.

CANAMEX Agreement. Trade between Canada, the United States and Mexico is expected to accelerate within the next few years as the North American Free Trade becomes a reality. A proposal has been made that the states of Montana, Idaho, Utah, Arizona, Nevada, and California, the Province of Alberta, and the Nation of Mexico work collectively to develop a trade route generally to follow the alignment of Interstate Highway 15. By allowing Rocky Mountain Doubles and Longer Combination Vehicles (LCVs) to operate at gross weight levels up to 118,000 pounds and 128,000 pounds, depending on converter dolly design, this route would be more viable and attractive.

If all the states or a block of states along the corridor agree to pursue such an initiative, congressional approval would be required, as well as approval by the individual state governments, because the 1991 ISTEA froze LCV weight and size at June 1991 levels.

Several meetings of state transportation and state commerce and development personnel have been held regarding this proposal, and interest is increasing. At its January 1992 meeting, the Motor Carrier Advisory Committee voted to support the CANAMEX proposal. However, based on prior comments by the Barley Commission, Wheat Commission, and Department of Agriculture, Idaho's commitment to this project should exclude agricultural crop products.

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Without objection, the Board approved the concept of the CANAMEX agreement to work with other states on the I-15 corridor and with Alberta and Mexico to develop a demonstration project utilizing increased gross weight LCVs on I-15. However, the Board has concerns and may submit stipulations regarding transportation of agricultural commodities. The draft letter advising Alberta, Canada of concept approval must be submitted to the Board for final approval.

Rest Area Criteria Proposal. At its April 1992 meeting, the Board asked staff to reconsider proposed criteria for location of new or improved rest areas and to involve other appropriate state and federal agencies to obtain their input. A multi-agency task force was formed to address the Board's request and to develop any recommendations that the task force felt would be appropriate.

The following concepts were developed for recommendations to the Board:

- rest areas need to be provided on all state highways where no other public or private facility is available for relief from travel,
- motorists need relief from travel at least every 1 1/2 hours,
- motorists need to be advised of public rest facilities by adequate signs and such facilities should be in close proximity to, and in view of the highway,
- public rest facilities should meet all legal and safety requirements and be available 24 hours per day for safe use by all classes of vehicles ranging from autos through larger truck combinations,
- public rest facilities should meet a minimum standard of maintenance,
- joint funding of rest areas should be considered,
- government fee areas and recreation sites should not be signed from the highway as rest areas, and
- the type of rest area facility provided should be reflective of the traffic volumes on the highway it serves.

Based on those concepts, the task force recommends four types of rest areas, depending on traffic volumes and location as follows:

- **BASIC REST AREA** for low volume state highways where seasonal traffic volumes are less than 1500 vehicles per day. Generally, these would be located in remote areas, would be without water or electrical utility service, and may be closed during winter. Most sites fall in USFS or BLM lands and should be considered as candidates for joint funding by ITD and other government agencies. Cost to construct is \$135,000 to \$225,000, with annual maintenance costs of \$6,000 to \$12,000.

- **BASIC PLUS REST AREA** for medium volume highways where annual average daily traffic (ADT) is less than 1500 vehicles per day but seasonal traffic volumes exceed 1500 vehicles per day. This type of rest area would differ from the Basic Rest Area by providing additional parking space, potable water and full electrical service and should be considered for joint funding. Construction costs are \$175,000 to \$300,000 and annual maintenance costs are \$7,000 to \$15,000.

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- DELUXE REST AREA for high volume state highways where ADT exceeds 1500 vehicles per day. A deluxe rest area is typified by the type of construction and amenities currently provided in new safety rest area projects. Construction and annual maintenance costs would range from \$500,000 - \$2,000,000 and \$41,000 - \$61,000, respectively.

- GATEWAY REST AREA located on a state highway at or near important tourist entrance routes into Idaho. This is basically a deluxe rest area but would also include adequate building space for a staffed visitor information center. Participation by other state and federal agencies as well as nearby cities in this type of project would be appropriate. Construction cost and annual maintenance costs should be in the same range as those for deluxe rest areas.

The Board members expressed appreciation to the rest area task force members for their work on this study. They would also like staff to document rest area planning elements and individual costs of elements, identify costs on rest area rehabilitation versus maintenance, and provide information on how ITD's rest areas compare to other states'.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to approve the rest area study and to use it as a guidance in developing and maintaining Idaho's rest areas. The motion carried.

Logo Sign Program. As requested by the Board earlier, staff provided information on the logo sign program. The Board members reviewed the section of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), published by the Federal Highway Administration, which addresses motorist services logo and symbol signs.

Although making changes to the MUTCD is a long, drawn-out process and would take years to accomplish with strong justification, particularly for items such as changes to symbol sign usage, Board Member Mitchell believed the effort was worthwhile. The subject was left at the Board's discretion.

Appointment to the District 6 Public Transportation Regional Committee. In April 1993, Sheila Kellogg of Ashton resigned her appointment to this Committee. Staff recommended Steve Lish, Manager of the Salmon Valley Care Center, to fill this vacant position.

Member Mitchell made a motion to appoint Steve Lish to the District 6 Public Transportation Regional Advisory Committee. Chairman Combo seconded the motion and it passed unanimously.

Internship Program with Boise State University (BSU). The proposed 1993-94 agreement with BSU would provide student interns and faculty support needed for database development, model testing, and support work for the Highway Performance Monitoring System, Pavement Management, HPMS-Analytical Package, Highway Statistical Analysis, Roadway Design, Materials Testing, and new coding and editing activities in the development of databases for road inventory files. The contract, in the amount of \$289,895.83,

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would commence July 1, 1993 and end June 30, 1994. Twelve interns for Transportation Planning and Programming would be funded from HPR funds, and Project Development funds would be used for the three interns in Roadway Design and Materials.

Without objection the Board approved the BSU Internship Program contract for FY94 in the amount of \$289,895.83.

Project ST-2390(624), Key 5323, Hailey Main Street, SH-75, District 4. Because the City of Hailey strongly requested this project be bid this summer, staff presented the following options for the bid rejected earlier on this project.

- Readvertise the existing project immediately with qualifications that more time be allowed for contract completion, and current phasing requirement be modified to "reasonable access";
- Readvertise the existing project next spring with the same qualifications listed above;
- Split the McDonald's portion of the project off and combine it with the Flying Heart Turnbay project for advertisement next spring.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to allow District Engineer Loren Thomas and the City of Hailey to take any option they prefer, but the Department will limit its contribution to \$1.174 million for construction. If the bids exceed the estimate, they will be rejected. The motion carried.

Design of DPI-0191(100), Key 5312, Montpelier to Geneva, US-89, District 5. A consultant to design this project was requested at the February 1993 Board meeting. The Board members directed staff to scale back the project, estimated at \$28.6 million, to meet \$18.5 million in available demonstration funds, resubmit the project cost for the September program update, and resubmit the request for the design consultant when it was available.

District personnel investigated cost-saving options and recommended scaling back the programmed project to primarily within National Forest and BLM lands, MP 30.3 to 38+. Because of concerns with geotechnical and environmental uncertainties, and with the time and effort required just to prepare for consultant design, the District determined to retain basic design responsibility in-house. However, geotechnical drilling cannot be provided by ITD, so staff requested consultant services in the amount of approximately \$.5 million.

Vice Chairman Smith motioned, seconded by Member Mitchell, to proceed with in-house design and scale back project DPI-0191(100) to MP 30.3 to 38+, and approve approximately \$.5 million for a geotechnical consultant. The motion carried.

Rule 39.01.01, Rules of Procedure - Contested Cases. The Board reviewed Rule 39.01.01 with the changes recommended as a result of the legislative germane committee meeting and subsequent discussions. The Board instructed staff to take no further action to adopt rules of procedure in contested case hearings and to allow the Attorney General's rules to control, as provided in Section 67-5206(5) I.C.

Changes in Contested Case Hearings Under New Administrative Procedures Act (APA) Provisions. As of July 1, 1993, significant changes take effect regarding contested case hearings. The Board directed that all hearing officer orders will be "preliminary." A preliminary order becomes final unless appealed and if appealed, must be reviewed before becoming final. The Board directed staff to make a recommendation on a designee to review all orders.

Hearing Procedure and Hearing Officer Qualifications, Administrative License Revocation (HB252). When provisions of HB252 become effective on July 1, 1994, administrative hearings conducted by ITD may increase from approximately 120 annually to 2,600 to 3,100. Although it is difficult to predict the fiscal impact on ITD, an estimate of \$525 per hearing was made.

Staff predicts 25 hearing officers will be needed statewide, and ITD would have the option of hiring full-time hearing officers as state employees or as independent contractors. ITD would also have the option of paying independent contractors on a flat annual fee, a monthly fee, or an hourly rate. Due to a lack of knowledge of the actual number of hearings that will be conducted and the time involved, the reasonable option would be to engage hearing officers on an hourly rate. Currently, ITD pays its hearing officers \$50.00 per hour. Although attorneys would be most qualified as hearing officers, that is not a requirement.

ITD would provide fairly extensive training for hearing officers who will be conducting hearings under HB252. If non-attorneys or those with limited knowledge of the hearing process are hired, this training will have to be more intensive. Training can be provided by the ITD Legal Section. Assistance could also be sought from the Idaho court system and personnel from other states that have statutes similar to HB252.

The Board asked for a briefing on how the Administrative License Revocation system will operate. It also encouraged hiring attorneys for the hearing officer positions.

Port of Entry Operational Policies. The Department's port of entry program requires a mix of permanent ports of entry, as well as the use of portable weigh scales. The application of portable scales requires the use of emergency as defined by Section 49-123(1)(b), I.C., while the permanent facilities may be jointly constructed and operated as permitted by Section 40-317, I.C. The following operational policies were developed to implement those requirements:

- B-31-01, Port of Entry Program
- B-31-02, Roving Port of Entry Program
- B-31-03, Joint Ports of Entry
- B-31-05, ITD Emergency Vehicle Operations

Without objection, the Board approved the four new port of entry operational policies.

WHEREUPON the Board meeting adjourned at 5:00 PM.

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The regular Board meeting reconvened at 8:30 AM on June 29, 1993 in the Transportation Building in Boise, Idaho. All Board members were present.

May Board Minutes. The May 20-22, 1993 Board minutes were approved as corrected by the Board members.

Board Meeting Dates. The following meeting dates were scheduled by the Board:

July 26-27, 1993 - District One

August 19-20, 1993 - District Three

September 20-21, 1993 - Boise

October - District Five

November - District Two

December - Boise

FY94 State-Funded Program Update. Program Control Manager Ray Mickelson provided background information on the state-funded program. Funding allocations were made to the districts based on the percent of state highway system mileage within each district. The Board members reviewed the draft program.

Vice Chairman Smith made a motion to approve the updated FY94-95 State-Funded Development Program and Preliminary Development, as shown in Exhibit 83 which is made a part hereof with like effect. Member Mitchell seconded and the motion passed.

Introduction of Personnel Supervisor. Mary Bradford, recently appointed to the Personnel Supervisor position, was introduced to the Board. She said she's looking forward to this position and would like to be involved in human resource needs. One of her projects currently is to work on informal mediation, which will hopefully avoid grievances. The Board members welcomed her to this position and realized how important it is.

Professional Agreements. The Board members reviewed the report of payments made for professional services during the month of May 1993. The engineering and consultant payments equalled \$619,862.51 and the general consulting agreements amounted to \$50,293.40 for a total of \$670,155.91.

Director's Items. Acting Director Green briefed the Board on the legislative items being prepared for the upcoming legislative session.

Next week a meeting will be held to discuss the traffic signals at two intersections at US-91, Fir and Center Streets, in Shelley.

Acting Director Green also provided information on truck speed differential on interstate highway systems. Although Idaho Code will permit differential speeds for cars and

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trucks, federal code will not allow it because Idaho had a uniform speed limit on its highways on November 1, 1973. The Department must maintain uniform speed limits in order to receive federal highway funds.

Revision to Board Policy B-06-08, Professional Services Agreement. After reviewing B-06-08 at its May 1993 meeting, the Board recommended revisions. Also, the "yearly" report to the Board on all professional services utilized was changed to "monthly".

Without objection, the Board approved the revisions to B-06-08, Professional Services Agreement.

Membership Terms for Local Highway Needs Assessment Council (LHNAC)
Members. Board minutes of July 1988 reflect that two LHNAC members were reappointed to three-year terms. The correct terms should have been for four years. This, in turn, caused errors in following appointments. The current membership of LHNAC should be:

Counties	Patrick Long	7-27-92 to 7-1-94
	Con Alder	7-1-92 to 7-1-96
Cities	Bill Smith	7-1-90 to 7-1-94
	Tim Ridinger	7-1-92 to 7-1-96
Highway Districts	Ralph Little	7-1-90 to 7-1-94
	Ray Oliver	7-1-92 to 7-1-96

Without objection, the Board approved the correction to Board minute entries dated July 24, 1988, and June 20, 1991 regarding membership terms for LHNAC members.

Additional Bid Items. ST-6380(601), Key 5452 - INEL Central Connector, US-20, Butte County, District 6. The low bid was more than ten percent over the engineer's estimate, requiring justification. The primary reason for the overrun is Borrow. The current version of ITD's Average Unit Price Report does not contain projects with similar quantities of truck haul borrow, so the estimate was based on a time and equipment analysis using Blue Book equipment rates and Davis Bacon wage rates. The analysis points out that the estimate is too low for prevailing conditions. Possible reasons for the pricing difference include security and other costs associated with working on INEL property, haul distance, and contractor workload at this time of year.

The Department of Energy has expressed a willingness to fund \$975,000 of this project in meetings held previously. Since the bid was under estimated, DOE is requesting that ITD fund the remainder of the low bid, which amounts to \$111,905. The District does not believe cost savings would result if this project was readvertised at a later date. Without objection, the Board approved awarding this bid and funding the difference of the low bid. Low bidder: HK Contractors, Inc., Idaho Falls - \$1,086,905.00.

STKP-4583 & STKP-4582, Keys 4869 & 4868, Champion Creek and Russian John; Custer and Blaine Counties, SH-75, District 4. The low bid was more than ten percent over

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the engineer's estimate, requiring justification. Differences in estimated and bid prices on the two stockpiles of Class 4 CCM amount to 22% of the estimate. The remote site undoubtedly contributed to the higher than average prices for this project. It is not expected that rebidding the project will result in reduced prices, so the District recommended accepting this bid. The Board concurred with staff's recommendation. Low bidder: Maverick Construction Co., Inc., Burley, Idaho - \$179,500.00.

Executive Session on Legal Issues, Section 67-2345(f), Idaho Code. At 11:05 AM, the Board met in executive session to discuss legal matters. The executive session ended at 11:25 AM. No decisions were made.

Public Involvement Meetings. Public Involvement Coordinator Julie Stutts and Chief of Transportation Services Jerry Dick described the procedures that will be used for the public involvement meetings that will be held statewide during July. These meetings are a requirement of the 1991 ISTEA. The Districts have provided input on issues to promote and focus on in their specific area.

Administrative Procedures Act (APA). Mary Detmar, Executive Assistant to the Board, explained the checklist developed for rule-making procedures. The Board wants to give approval of concept before any proposed rule-making starts.

Delegation - Right-of-way Use Permit 3-93-189, SH-69. Attorney Steve Bradbury and property owner John Manchester (Tower Associates) met with the Board again to request access to property on SH-69 near the I-84 interchange at Meridian. Board Chairman Combo noted that the Board and staff had viewed the site earlier in the day so were familiar with the property and access.

A recap of the situation was provided by Mr. Bradbury. He stipulated that the right-of-way use permit issued to adjacent property owner GNL allowed the Board the option to relocate the access. He further remarked that GNL (Gary Hunnemiller) was not the recorded property owner at the time the permit was issued even though Mr. Hunnemiller certified as such. Mr. Bradbury also believed that ITD did not check the deed to determine the real owner of the property and should have checked to see if further access would be requested. A copy of the title report obtained by Tower Associates did not show controlled access.

Chairman Combo commented that Mr. Manchester's position was that the permit was improvidently issued and that ITD has the authority to adjust the access. Chairman Combo recognized the suggestion of a raised median as leverage to persuade GNL to provide joint access.

Vice Chairman Smith believed that ITD did not act inappropriately and suggested that staff evaluate if the existing access could be relocated to serve both properties. He also believed that Tower Associates should be responsible for the cost to relocate the approach and for any legal activity incurred. An agreement to hold ITD harmless was suggested by

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Vice Chairman Smith with any legal work to be approved by Chief Legal Counsel Trabert. Mr. Manchester indicated that he could not approve those costs at this time nor did he have the authority to indemnify ITD, but would report back after conferring with his partner(s).

WHEREUPON, the Board meeting officially ended at 4:15 PM.



JOHN X. COMBO, Chairman
Idaho Transportation Board

Read and Approved
July 27, 1993
Coeur d'Alene, Idaho

June 29, 1993

REGULAR MEETING AND DISTRICT 1 TOUR
OF THE IDAHO TRANSPORTATION BOARD

July 26-27, 1993

The Board meeting and District 1 Board tour officially began at the Coeur d'Alene Airport at 9:15 AM on Monday, July 26, 1993. The following were present:

John X. Combo, Chairman - Region 1
Leon E. Smith, Jr., Vice Chairman - Region 2
Mike P. Mitchell, Member - Region 3
Mary F. Detmar, Executive Assistant to the Board
G. Keith Green, Acting Director
Tom Baker, District 1 Engineer

The group flew to Bonners Ferry where they boarded a NICE (North Idaho Community Express, Inc.) bus driven by transit manager Aaron Knight. A reporter for the Kootenai Valley Times, Wendall Cada, accompanied the Board and staff on the trip. Driving north on US-95 and SH-1 the tour contingent viewed highway projects pointed out by District 1 Engineer Tom Baker. At Porthill the Board members viewed the state-owned airport. The tour continued through Creston, British Columbia to Eastport.

Customs and Immigration officials discussed the traffic through the U.S. Port. The area immediately south and west of the port is being used for the reloading of heavy Canadian vehicles per Board decision in March 1993.

From Eastport, the group was driven south on US-95 and continued to look at ongoing and future highway projects. Mr. Cada left the tour in Bonners Ferry.

At lunch in Bonners Ferry, Mr. Knight explained public transit operations in north Idaho and the funding constraints he experiences.

Traveling south on US-95 the group arrived at the District office in Coeur d'Alene at 3:45 PM. Mr. Knight returned to his office.

Jeff Youtz, Legislative Budget Office, and Debra Gordon, State Public Transportation Council member from Region 1, joined the meeting.

Board Policy B-01-14, Recycling. For several years, the Department has been involved in programs to recycle used or obsolete departmental materials. Due to increasing emphasis and mandates to recycle materials in the interest of environmental preservation and enhancement from both the federal and state levels, staff created a policy to formalize and increase the Department's efforts in the area of recycling.

July 26, 1993

Vice Chairman Smith made a motion, seconded by Member Mitchell, to approve the new Board Policy B-01-14, Recycling. The motion passed unanimously.

Out of State Travel. The Board members reviewed the travel requested and had no questions or comments.

Quarterly Report for FY-Program Obligations. The Department has obligated \$40.95 million to date for federal fiscal year 1993. The projected readiness target was \$45.5 million.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

STKP-1578 & STKP-1576, Keys 5607 & 5076 - Athol & Spirit Lake, Kootenai County, District 1. Low bidder: Wood's Crushing & Hauling, Inc., Sandpoint, Idaho - \$124,865.00.

DPI-0187(102), Key 5005 - Top Pedee Hill East of Plummer, Benewah County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. The high availability of work for similar projects in the region resulted in a higher unit cost in many of the contract work items, and this was not appropriately accounted for in the engineer's estimate. Completion of this project in this construction season is of critical importance, but there would not be sufficient time to complete the project this season if the project were readvertised. Additionally, with the current construction work load, it is unlikely that a favorable change in bid prices would be achieved. The Board members affirmed the Acting Director's decision to award this bid. Low bidder: Glen L. Wadell, Inc., Coeur d'Alene, Idaho - \$285,003.07.

ST-4110(619), ST-4110(608), & STKP-2544, Keys 5359, 5093, & 4961 - Jct. SH-66 to Top of Crook's Hill, Jct. US-95 & SH-66, and Potlatch; Latah County, District 2. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$1,360,466.70.

ST-4110(617) & STKP-2549, Keys 5340 & 5222 - Spalding I.C. to Lewiston POE, and Turkey Island; Nez Perce County, District 2. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$1,293,904.55.

STKP-2535 & STKP-2546, Keys 4368 & 4963 - Deary and Grangeville, Latah and Idaho Counties, District 2. Low bidder: Seubert Excavators, Inc., Cottonwood, Idaho - \$341,380.00.

ST-3110(605), Key 5363 - New Meadows to Little Salmon River Bridge, Adams County, District 3. Nelson Construction, Boise, Idaho - \$1,023,738.00.

July 26, 1993

STKP-3654 & STKP-3659, Keys 5231 & 5236 - Council and Weiser, Adams and Washington Counties, District 3. Low bidder: Seubert Excavators, Inc., Cottonwood, Idaho - \$215,336.00.

ST-2390(617) & ST-2390(632), Keys 5104 & 5446 - North 5 Points to Heyburn Ave., and Twin Falls Jct. SH-74 and US-93; Twin Falls County, District 4. The low bid was more than ten percent over the engineer's estimate, requiring justification. The differences between estimated and bid prices were for excavation and illumination. However, the first and second bidders were very close to each other on prices for these two items. The tight constraints on space and staging for the project appears to have resulted in prices higher than anticipated. It is not expected that rebidding the project would result in any significant change in prices. The Board affirmed the Acting Director's decision to award this bid. Low bidder: PMF Inc., Twin Falls, Idaho - \$1,069,012.96.

ST-2846(603), ST-2741(601), STM-7282(600), STM-2846(601), & STM-2741(600), Keys 5344, 5345, 4694, 4689, & 4684 - 3200 East to Red Cap, Red Cap to Hansen Br., East 5 Points to Cemetery, Cemetery to Red Cap, Red Cap to Hansen Br.; Twin Falls County, District 4. Low bidder: HK Contractors, Inc. - Idaho Falls, Idaho - \$1,044,155.50.

STM-2390(621), Key 5248 - Nevada St. Line to Jct. SH-74, Twin Falls County, District 4. Low bidder: Idaho Sand & Gravel Company, Inc., Nampa, Idaho - \$1,169,335.05.

STM-6350(605), STM-6750(600), STM-6380(600), STM-6836(600), & STM-6500(607), Keys 4987, 5283, 5272, 5270, & 5275 - Custer County Line to Mackay Reservoir, US-20B in Rigby, Arco to Butte City, Bingham County Line to Jct. I-15B, and Woodruff Road to Jct. SH-43; Custer, Jefferson, Butte, & Bonneville Counties, District 6. Low bidder: Snake River Construction Inc., Twin Falls, Idaho - \$404,310.04.

STM-6742(600), STM-6804(600), STM-6727(600), STM-6450(603), STM-6500(606), & STM-6450(602), Keys 5277, 4986, 5271, 4988, 5274, & 4985 - Roberts - Ririe, MP-7.00 - Drummond, MP-7.00 - Victor, Lemhi County Line - Petticoat Jct., Granite Hill - Rainey Creek, and Jefferson County Line - SH-28; Jefferson, Teton, Fremont, Bonneville and Lemhi Counties, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$637,409.00.

STKP-5564, STKP-5563, & STM-1786(600), Keys 4979, 4978, & 5260 - Montpelier, Soda Point, and Jct. US-30 to China Hat Road; Caribou and Bear Lake Counties, District 5. Low bidder: Gale Lim Construction, Inc., Blackfoot, Idaho - \$547,228.70.

ST-4113(092), Key 4462 - Craigmont Business Loop, Lewis County, US-95B, District 2. The low bid was more than ten percent over the engineer's estimate, requiring justification. The variances in the bid items were for 3/4" aggregate base, concrete

July 26, 1993

sidewalk, and mobilization. The contract calls for construction to be phased, which was not taken into consideration in the engineer's estimate. Because work on this project is scheduled to complement non-participating construction that the City of Craigmont has planned, and potential savings due to readvertisement is small, the District recommended awarding this contract. The Board affirmed the Acting Director's decision to award this bid. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$962,432.30.

STKP-6707, STKP-6706, STKP-6705, STKP-6710, STKP-6709, & STKP-6708, Keys 5289, 5288, 5287, 5292, 5291, & 5290 - District 6 stockpiles, Clark, Bonneville, Jefferson, and Madison Counties. The low bid was more than ten percent over the engineer's estimate, requiring justification. Comparison of unit bid prices to the engineer's estimate revealed the price per ton bid was higher for each of the six stockpiles. The District estimated an average of 16 tons per truck for calculating haul, which is not reasonable for cinders. The practical load limit is 12 tons per truck, therefore, more miles of haul is actually required. Because staff does not believe a savings would occur if the project is readvertised, and these stockpiles are required for this winter's sanding operation, the recommendation was to award this bid. The Board concurred with staff's recommendation. Low bidder: C & H Construction, Inc., Idaho Falls, Idaho - \$317,256.56.

Delegation - Jim Carney, Access on US-95 North of Coeur d'Alene. Mr. Carney believed he had been granted three approaches to US-95 in a letter from District 1 on October 20, 1992. When he applied for the permit in March 1993, he was told that only one access to the four five-acre parcels could be approved due to increased traffic congestion on US-95. He was also informed at that time that a left-turn bay and storage area would be required to be constructed at his expense.

Chairman Combo read the October 20, 1992 letter from District 1 that indicated that property "would not be landlocked." Vice Chairman Smith and Member Mitchell said they were primarily concerned with the safety of the traveling public along US-95 and had doubts about granting an access without a left-turn lane. Chairman Combo voiced concern about the expectations of other property owners in the area who may be developing the area and wanting access to US-95.

Chairman Combo moved, seconded by Member Mitchell, that the item be deferred until more information could be obtained from staff and a possible compromise be considered. Motion carried. (See later discussion in these minutes.)

Excess Weight Assessments. Skip White, Associated Logging Contractors Association, attended the Board meeting to hear this discussion.

Under the authority of Section 67-5291, Idaho Code, the Legislature adopted Senate Concurrent Resolution (SCR) 104 with an effective date of March 19, 1993. SCR104 modifies Department Rule 39.B.22 to remove the requirement of a motor carrier to maintain and provide records which show gross weight carried. Staff now needs direction on whether

July 26, 1993

or not to pursue collection of excess weight assessments found on trucking companies who were in the process of an audit at the time SCR104 became effective.

The Department began the collection process for excess weight assessment for eight carriers prior to the March effective date of SCR104. One of those carriers paid the entire audit assessment, including the excess weight portion; however, is now asking for a refund of the excess weight portion based on SCR104. Also, one carrier was not billed because his audit was not completed prior to March 19 and he refused to give the Department the weight slips needed to determine if an excess weight assessment was in order.

The Legal Section reviewed SCR104 in conjunction with the audits and believes that if a carrier has been billed (audit completed) prior to March 19, 1993, the excess weight assessment should be collected. The basis is that the weight slips were obtained in accordance with the regulation and their existence cannot be ignored.

In 1991, the Director made a decision that penalties would not be assessed on excess weight audit findings because Idaho law does not have a provision to allow reporting of excess weight at the time of occurrence. Therefore, in absence of the ability of the carrier to report and pay when due, a penalty should not apply.

Staff provided the following options: 1) concur with legal's opinion and require all of the carriers to pay the excess weight assessment; 2) do not require the eight carriers who provided weight slips to pay their excess weight assessment; 3) pursue obtaining weight slips from the one carrier who did not provide them earlier, so that if he has been operating at weights in excess of his registered gross weight, an accurate assessment could be made, and if the audit results in an excess weight assessment, bill him and the other eight carriers accordingly.

Skip White provided the Board with a history of the issue from his perspective. He said approximately 4-5 years ago the adequacy of weight scales was questioned. ITD agreed that if the excess weight assessments were paid then, ITD would use only official scales and that weight slips would not be used to compute excess weights. An administrative rule was subsequently promulgated that allowed ITD to use weight slips. Mr. White alleged that audit discrimination occurred and that the same companies were always audited. He and other loggers tried to work out an agreement but to no avail. SCR104 was passed by the 1993 legislature which precluded ITD from using weight slips to assess weight violations.

The Board asked the Acting Director to obtain additional information the following day from legal counsel concerning liability and the rule authority mentioned above. The matter was postponed until further details were known. (See later discussion in these minutes.)

Revisions to Rule 39.2.22, (Formerly Rule 39.B.22), Mileage Use Fee Administration. Because of the changes required on the mileage use fee reporting and auditing

July 26, 1993

programs by Senate Bill 1231, House Bill 291A, and Senate Concurrent Resolution 104, Rule 39.2.22 needs to be revised.

Without objection, the Board approved the concept for proposed rule-making on Rule 39.2.22, Mileage Use Fee Administration, and authorized staff to proceed with negotiated rule-making.

The meeting recessed at 5:30 PM and reconvened at 6:00 PM at Templin's in Post Falls where the Board members attended the StateWide Improvements for Transportation (SWIFT) meeting - the session to gather public input on the Department's programs and planning process.

The meeting recessed at 6:30 PM.

Special Meeting

The special meeting called by the Chairman, the other two (2) members agreeing, under authority of Section 40-308, Idaho Code, convened after the SWIFT review in Post Falls. All three Board members were present. The Board met from 6:30 PM to 9:00 PM on the 26th.

The purpose of the meeting, an executive session, agreed to by all three (3) members, identified by the Chairman as authorized under Section 67-2345(1)(a), Idaho Code, ("to consider hiring a public officer") was to review the applications received by the Director, Personnel Commission, for the vacant ITD Director's position and to ask questions of an applicant who was in Post Falls at that time.

July 27, 1993

The Board meeting resumed in the District One conference room, Coeur d'Alene, on Tuesday, July 27, 1993 at 8:30 AM. The Board members were present. Jeff Youtz, Legislative Budget Office, was also in attendance.

June 1993 Board Minutes. The minutes of the June 28-29, 1993 Board meeting were approved as corrected by the Board members.

Board Meeting Dates. The following meeting dates and locations were scheduled by the Board:

August 19-20, 1993 - District Three
 September 20-21, 1993 - Boise
 October - District Five
 November - District Two
 December - Boise

July 26, 1993

Excess Weight Assessments (continued discussion from July 26, 1993). After reviewing the material and information provided by Mr. White the previous day, and discussion with Acting Director Keith Green, Member Mitchell moved, seconded by Vice Chairman Smith, that the Board would not require the nine carriers to pay excess weight assessments or provide weight slips for the time frame in question. The Acting Director was authorized to work with Idaho Sand and Gravel to credit the assessment that the company had already made.

Jim Carney Access Request (continued discussion from July 26, 1993). The Board members resumed their deliberations about the access request made by Mr. Carney the previous day. All members reiterated their concern with the safety issue of cars accessing US-95 in a heavily congested area. They were also concerned with the approach already provided to the golf course area adjacent to Mr. Carney's property and asked if a right-turn lane could be constructed at that location as well.

Without objection, the Board authorized District Engineer Tom Baker to work with Mr. Carney in developing right-turn lanes at both locations and establishing an equitable distribution of work and cost.

Director's Report. Acting Director Keith Green outlined the legislative ideas to be submitted to the Governor for consideration during the 1994 session:

- regulate vehicle bumper height and aiming of headlights;
- enable Idaho to join with other states in a base state agreement for reporting and collecting weight distance taxes, and remove the 24% maximum penalty;
- clarify definition of farm vehicle in Section 49-123(d), Idaho Code, to state that vehicles used to transport farm or ranch products not raised, owned or grown by the vehicle's owner is not a farm vehicle and the owner is not entitled to the reduced mileage tax rate for farm vehicles;
- remove the \$1,000 maximum vehicle value from ITD's inheritance procedures and Section 49-514, Idaho Code;
- extend the current one-year legislative exemption granted from mandatory appraiser licensing and certification; and,
- allow right-of-way information to be placed on a right-of-way plat and have the plat properly recorded.

The impartial review panel hearing on John Welles' grievance has been rescheduled to August 10 in Lewiston.

At the request of the Board members, the staff developed statistics comparing the engineers' estimates to contract bids. Acting Director Green explained that the system ITD uses to arrive at project estimates is adequate for its needs, but management is always looking at new ways to improve the system. He also indicated that change orders to contracts are tracked and reviewed by management. Chairman Combo asked the Acting Director to use the information to compare districts' estimates to contract bids and submit it to the Board.

July 26, 1993

Professional Agreements. In accordance with Board Policy B-06-08, Professional Services Agreements, the Board members reviewed the list of payments made for project-related professional services during the month of May 1993. The total amount of payments was \$123,951.62.

Quarterly report on bad checks. During the second quarter, \$7,079,299.77 in checks were processed. Of those checks, \$18,524,31. or .54% were returned for collection. The Motor Vehicle Accounting Section collected \$15,199.81, and the collection agency collected \$658.04, for a total of \$15,857.85. This represents an 86% collection rate.

The Board members also reviewed graphical representation of the returned check report for the first quarter, the second quarter, and a comparison of the last three fiscal years.

Sand Shed Study. Staff studied the feasibility of designing more economical sand sheds in order to build the sheds at an accelerated schedule. The study compared alternate designs of the most cost efficient designs for the most prevalent needs for storage space. Each location presents its own specific challenges and requirements.

The Board members reviewed this report. They asked for more information, such as if the shed design varies for different climates, and if the sheds can be built close to hills in order to utilize the hill as a side of the building.

Project Design Versus Value Engineering Study, IR-84-2(1)50, Key 2521, Cole/Overland Interchange, Boise, District 3. The updated cost of this project is \$42 million. A value engineering study identified cost saving alternatives and possible deferred elements to decrease initial construction cost. The Board members reviewed the costs of the project as designed, the value engineering study alternatives including deferred construction, and as designed with deferred construction costs.

The Board unanimously supported the project as designed, and for programming purposes, it will be shown in FY95 for the Board's review in September.

Authority to Negotiate and Acquire Land Valued Over \$100,000, IR-84-2(001)50, Key 2521, Parcels 131 and 132, Boise, District 3. Wild Waters Theme Park is located on these parcels, covering 13.6 acres. For the Cole/Overland Interchange project, 8.95 acres are required. Three appraisals were obtained and the reviewer's fair market value was over \$100,000.

Vice Chairman Smith made a motion, seconded by Chairman Combo, to approve negotiations and acquisition of the needed portions of Parcels 131 and 132 and improvements required for project IR-84-2(001)50 valued in excess of \$100,000. Should the remainder of parcel 131 be determined an uneconomic remnant, the Board concurred that staff can negotiate for and acquire that portion also. The motion passed unopposed.

July 26, 1993

Joint Meeting with Wyoming Transportation Commission. Executive Assistant to the Board Mary Detmar said she'd received a letter from Wyoming suggesting a joint meeting of the two boards and identifying Wyoming's 1994 meeting dates. The Board members liked the idea and thought the June 1994 meeting date in Jackson may be the most feasible. EAB Detmar will communicate that to the Wyoming Commission.

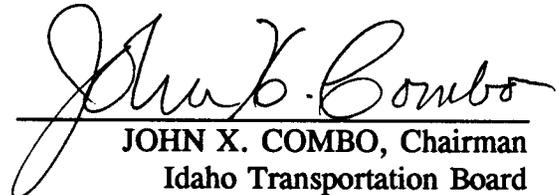
Federal Year-End Project Advances and Delays. In the fourth quarter of each fiscal year, it is necessary to review the development status of all federal-aid projects together with available funding. All available funds need to be utilized and redistributed obligational authority that occurs in August must be requested. Projects that could be advanced to FY93 will offset the funding for delayed projects. Staff requested authorization to advance the following projects to FY93:

<u>Project</u>	<u>Key</u>	<u>Route</u>	<u>District</u>
I-90, Shoshone Co. Line to Pine Creek	1990	I-90	1
Virginia IC to Arimo	2774	I-15	5
Eagle Road IC to Wye IC	5402	I-84	3
Jct. SH-87 to Montana State Line	3523	US-20	6
East Greenleaf to Simplot, Caldwell	0135	SH-19	3
500 S. Road to Declo	3298	SH-77	4
Curtis Road N. of Franklin Road, Boise	4436	Local	3
Island Park to Jct. SH-87	5328	US-20	6

Without objection, the Board approved advancing the above projects. The Board members requested additional information on Congestion Mitigation/Air Quality projects for review at the August meeting.

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. At 2:10 PM, the Board met in executive session to discuss personnel matters. The executive session ended at 2:50 PM. No decisions were made.

WHEREUPON, the Board meeting adjourned at 3:30 PM.


 JOHN X. COMBO, Chairman
 Idaho Transportation Board

Read and Approved
 August 19, 1993
 Boise, Idaho

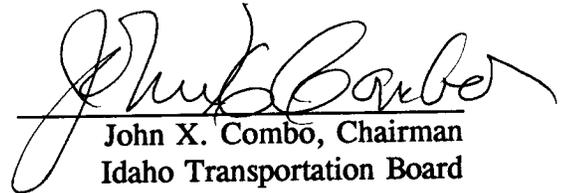
July 26, 1993

Special Meeting of the Idaho Transportation Board

July 15-16, 1993

The special meeting called by the Chairman, the other two (2) members agreeing, under authority of Section 40-308, Idaho Code, convened in the Conference Room at the offices of the Idaho Personnel Commission at 2:00 PM, Thursday, July 15, 1993. All three Board members were present. The Board met from 2:00 PM to 5:15 PM on the 15th and from 8:00 AM to 5:30 PM on the 16th.

The purpose of the meeting, an executive session, agreed to by all three (3) members, identified by the Chairman as authorized under Section 67-2345(1)(a), Idaho Code, ("to consider hiring a public officer") was to continue review of applications received by the Director, Personnel Commission, for the vacant ITD Director's position. Questions were formulated for the applicants who came before the Board.


John X. Combo, Chairman
Idaho Transportation Board

Read and Approved

August 20, 1993

Boise, Idaho

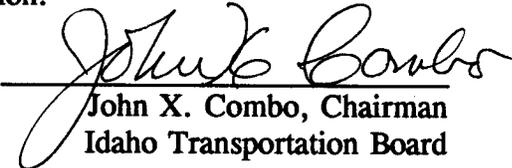
July 15, 16, 1993

Special Meeting of the Idaho Transportation Board

August 3, 1993

The special meeting called by the Chairman, the other two (2) members agreeing, under authority of Section 40-308, Idaho Code, convened in the Conference Room at the offices of the Idaho Personnel Commission at 1:30 PM, Tuesday, August 3, 1993. All three Board members were present. The Board met from 1:30 PM to 4:00 PM on that date.

The purpose of the meeting, an executive session, agreed to by all three (3) members, identified by the Chairman as authorized under Section 67-2345(1)(a), Idaho Code, ("to consider hiring a public officer") was to take stock of the status of all applications and the remaining course of action to fill the vacant Director's position.


John X. Combo, Chairman
Idaho Transportation Board

Read and Approved

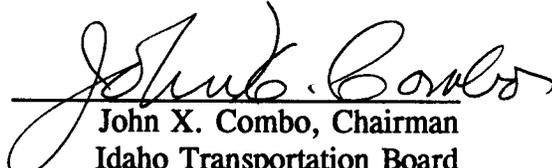
August 20, 1993
Boise, Idaho

Special Meeting of the Idaho Transportation Board

August 11, 1993

The special meeting called by the Chairman, the other two (2) members agreeing, under authority of Section 40-308, Idaho Code, convened in the Conference Room at the offices of the Idaho Personnel Commission at 1:30 PM, Wednesday, August 11, 1993. All three Board members were present. The Board met from 1:30 PM to 5:30 PM on the 11th.

The purpose of the meeting, an executive session, agreed to by all three (3) members, identified by the Chairman as authorized under Section 67-2345(1)(a), Idaho Code, ("to consider hiring a public officer") was to review the qualifications of an applicant who attended the meeting.


John X. Combo, Chairman
Idaho Transportation Board

Read and Approved

August 20, 1993
Boise, Idaho

August 11, 1993

**REGULAR MEETING AND DISTRICT 3 TOUR
OF THE IDAHO TRANSPORTATION BOARD**

August 19-20, 1993

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. The Board met in executive session with Acting Director Keith Green to discuss personnel matters, including selection of a Director.

The regular Board meeting began at the District 3 Office in Boise at 9:35 AM on Thursday, August 19, 1993. The following were present:

John X. Combo, Chairman - Region 1
 Leon E. Smith, Jr., Vice Chairman - Region 2
 Mike P. Mitchell, Member - Region 3
 Mary F. Detmar, Executive Assistant to the Board
 G. Keith Green, Acting Director
 Virginia Hughes, Administrative Secretary
 Barbara Babic, Public Information Specialist
 Jack T. Coe, Division Administrator - Federal Highway Administration
 Judie Wright, Senior Financial Analyst - Governor's Office

Board Meeting Dates

September 20-21 - Headquarters
 October 25-26 - District 5
 November 18-19 - District 2
 December - Headquarters

Consent Calendar. Without objection, the Board approved the following five items on the consent calendar:

1993-94 Winter Maintenance Standards. In accordance with Board Policy B-05-06, Winter Maintenance Standards on State Highways, staff presented the levels of winter maintenance for all state routes for the coming winter. Annual reviews are conducted to determine benefits versus costs of changing winter maintenance standards for each section of highway providing for continuity and resource availability. Two minor changes were proposed as follows: downgrading the level of service on SH-11, M.P. 35.327 to 42.54 to more closely represent the winter maintenance required; and extend level of service on SH-77, M.P. 7.5 to 12.8, to provide consistency for this route.

Recommended Roadway Width Map. The recommended roadway width map was presented to the Board in accordance with Administrative Policy A-14-02, Roadway Widths.

August 19, 1993

The revisions include changing: US-12 from Spalding to Kamiah from 36 feet to 34 feet; SH-14 from Harpster Jct. to Mt. Idaho Bridge from 26 feet to 28 feet; US-93 from Challis to North Fork from 36 feet to 34 feet; SH-75 from Bellevue to Hailey from 36 feet to four-lane right-of-way, two-lane construction; US-91 from Preston to the interstate from 28 feet to 36 feet; SH-40 from Downey to the interstate from 34 feet to 36 feet; US-89 from Montpelier to Jct. SH-61 from 28 feet to 34 feet; and US-26 from I-15 to Jct. SH-91 from four lanes to 36 feet.

Rural Highway Access Control Guide. As contained in Administrative Policy A-12-15, Highway Access Control, the Board is to review the Rural Highway Access Control Guide annually. No revisions were made to this map since the last Board review.

FY93 Requests to the Board of Examiners. Annually, staff reports to the Board on requests submitted to the State Board of Examiners. During FY93 no requests were made.

Out-of-State Travel. The Board members reviewed the travel requested and had no questions or comments.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

STM-5110(607), Key 5050 - Neider Avenue to Wyoming Avenue, Coeur d'Alene, Kootenai County, District 1. Low bidder: Interstate Concrete & Asphalt Co., Coeur d'Alene, Idaho - \$554,268.78.

STKP-3661 & STKP-3656, Keys 5425 & 5233 - Idaho City Yard & Lowman Yard, Boise County, District 3. The low bidder was more than ten percent over the engineer's estimate, requiring justification. The average unit price report was the source used to determine the engineer's estimate. This was the second advertisement and bid opening for these stockpiles. The items from the original design were adjusted with the less quantity, and the gradation requirements for anti-skid material was adjusted to a looser spec. The change in the gradation spec did not have an effect on the cost of the project. The high cost of the material must be in the long and slow hauling of material on SH-21. These two stockpile sites, located in high recreational areas and subject to high snow accumulations and low temperatures, were depleted during last year's high sanding usage. Because this is the second attempt at getting a less expensive product and time is running out this year for readvertising, the district recommends awarding this contract. The Board affirmed the Acting Director's decision to award this bid. Low bidder: Western Construction, Boise, Idaho - \$224,260.00.

STP-F-6450(101), Key 4783 - Jct. SH-22 North, Clark County, District 6. Low bidder: Robert V. Burggraf, Idaho Falls, Idaho - \$1,265,068.70.

ST-1480(604), Key 5140 - Pegram Road to Border Jct., Bear Lake County, District 5. The low bid was more than 25 percent under the engineer's estimate, requiring justification. Plant mix pavement was bid much lower than historical price lists, supposedly because the low bidder plans to use material on hand, resulting also in avoidance of crusher mobilization. The Board concurred with staff's recommendation to award this bid. Low bidder: LeGrand Johnson Construction Co., Logan, Utah - \$1,038,839.47.

STKP-1572, Key 5072 - Plummer Maintenance Yard, Benewah County, District 1. The low bidder was more than ten percent over the engineer's estimate, requiring justification. This was the second time this project was advertised, and unit prices for four items were not updated when the project was resubmitted for readvertisement. The proposal was processed using the old engineer's estimate. The Board concurred with staff's recommendation to award this bid. Low bidder: Seubert Excavators, Inc., Cottonwood, Idaho - \$188,983.00.

CM-0001(100) and STKP-1579, Keys 5515 and 5608 - Stockpile Clean Anti-Skid, District 1 and Wolf Lodge, Kootenai County. The low bid was more than ten percent over the engineer's estimate, requiring justification. This was the second time this project was advertised, and unit prices for four items were not updated when the project was resubmitted for readvertisement. The proposal was processed using the old engineer's estimate. The Board concurred with staff's recommendation to award this bid. Low bidder: Coeur d'Alene Asphalt, Inc., Coeur d'Alene, Idaho - \$350,740.00.

BRF-5152(020), Key 1754, - Evans Creek Bridge, Kootenai County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. The variance occurred in the contract items for 3/4" aggregate base, concrete class 40-A, concrete class 40-B, and furnish and drive piles. No changes within the scope of work can be identified which would result in lower bids if this project were readvertised. Because this project is in a remote location, it is felt the unit prices for those bid items referenced above are higher than normally anticipated for projects that are less remote. Board concurred with staff's recommendation to award this bid. Low bidder: WASCO, Inc., Lewiston, Idaho - \$571,404.91.

Director's Report. Acting Director Keith Green said he would be meeting with Parks and Recreation Director Yvonne Ferrell soon to discuss Lakeside Drive in Coeur d'Alene and joint funding/staffing of rest areas/visitor centers. Chairman Combo asked him to check the status of the proposed Malad Gorge rest area that was proposed in October 1992.

During the District 6 tour in May, the Board looked at the rock column on US-93 south of Challis. Idaho State University experts are evaluating the area and a report is expected soon.

District 2 Engineer Jim Clayton has announced his retirement effective October 31, 1993. The vacancy will be filled through regular procedures.

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The Board members asked for a briefing on right-of-way activities as they relate to project development. They believed that right-of-way sometimes seems to dictate time of project development/construction.

VLS Axle Compliance with Rule. The Board adopted revisions to Department Rule IDAPA 39.03.08, which became effective July 1, 1992, allowing for deployment of VLS (lift) axles from the cab of the truck with up/down switches. In approval of emergency adoption of the rule, the Board members asked staff to determine from observations at Ports of Entry the status of compliance with the rule. The Board reviewed the summary of that study.

Proposed Revision of IDAPA 39.03.08. Because several bills passed in the 1993 legislative session which require modification of IDAPA 39.03.08, rules governing weight limits, staff requested approval of concept to revise this rule. However, the Board members believe legislation should be developed to resolve the conflicts with HB289a, SB1230, SB1247a, and SCR112, rather than an ITD rule.

Chairman Combo moved, seconded by Member Mitchell, to draft legislation instead of a rule to resolve the issue of weight limits. The motion carried.

Incorporated Communities on Scenic Byways. In October of 1991, the Board redesignated Idaho's scenic routes as scenic byways, enabling ITD to receive additional federal funds. Additional monies have been requested for 1994. However, no definition of what constitutes a scenic byway has been developed.

An administrative policy has been drafted exempting commercial and industrial areas adjacent to scenic byways from scenic byway designation due to their lack of scenic value. Outdoor advertising erected after December 18, 1991 on primary and interstate scenic byways was prohibited by federal law. ITD's Legal Section examined the proposed policy and determined it was in conflict with federal code because the proposed exemption was not based on a policy stating that areas to be exempted lacked scenic value.

Without objection, the Board approved staff's list of communities to remove from scenic byway designation and to prepare an applicable administrative policy.

Truck roadeos. Chief of Highway Operations Fiala reported that Districts 1, 2, and 3 held "truck roadeos" recently involving employees who hold commercial drivers' licenses. The competition included six events including vehicle inspections and a test of driving skills. Once all Districts have concluded their "roadeos", a statewide competition will be held. Monte reported that improved safety and increased employee morale have resulted from these events.

53' Cattle Trailers on US-95, District 1. At the March 1993 meeting, staff proposed allowing access to US-95 between Eastport and Copeland Junction with SH-1 by 53' cattle

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van semitrailer combinations. B&D Walter Trucking of Alberta, Canada, made that request based on the consideration that their combinations off-tracked no greater than a 48' cattle van semitrailer.

The Board deferred the issue until staff could evaluate statewide application of the same concept and obtain commentaries from the Department of Commerce, Agriculture, and the Idaho Cattle Association. After further study, staff determined the allowance of 53' cattle van semitrailers would not meet the criteria of ITD Rule IDAPA 39.03.22.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to deny the request of B&D Walter Trucking. The motion carried.

Review of Draft Congestion Mitigation and Air Quality (CMAQ) and Enhancement Programs. The Board members reviewed the draft CMAQ and Enhancement programs, which will be presented to the Board for approval at the September meeting. They requested material on CMAQ projects be sent to each member for his specific Districts, including projects that didn't make it on the approved list.

Member Mitchell made a motion, seconded by Chairman Combo, to develop the CMAQ program as a one-year program plus Preliminary Development (PD); place projects in PD rather than a specific year if the project is not ready for construction; delete all traffic signals from FY94 CMAQ and show those projects in STP; move CNG buses to PD; and delete equipment requests. The motion carried.

Draft Transportation Improvement Programs (TIPs) for Metropolitan Planning Organizations (MPOs). The Intermodal Surface Transportation Efficiency Act of 1991 requires that the Department, on behalf of the Governor, approve the TIPs for each of the state's three MPOs. These are to include priorities, financial constraint, projects funded under Title 23 or the Federal Transit Act, and opportunity for public comment. Projects to be undertaken are to be selected by the state in cooperation with the MPOs from the approved TIPs.

The Board members will take the three TIPs for the MPOs under advisement and will communicate their comments to the Chief of Transportation Services. The TIPs will be submitted to the Board for final approval in September.

Office of Highway Safety (OHS) Presentation. Highway Safety Manager Marie Bishop provided information on some issues raised by the Board earlier. Regarding the placement of the OHS in other states, 21 are located in DOTs, 24 are part of a public safety agency and 11 are either part of another agency or an independent agency. Successful placement of the OHS is dependent on the extent to which the OHS is able to make uninfluenced budgetary decisions regarding the award of funds, and the extent to which the OHS is able to effectively coordinate a broad range of activities among a number of agencies and organizations. The OHS at ITD demonstrates these very elements of success.

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Because ITD does not have a comprehensive data-gathering system for Driving Under the Influence (DUI) arrests, it was difficult for staff to determine where DUI arrests are being made (in town or on state highways), what police agency is making the arrests, and case disposition information. The Board reviewed the information staff was able to provide.

There is no means of accurately determining how many people actually drive without motor vehicle insurance, as that is a secondary offense and only discovered during traffic stops for other offenses. During 1992, data shows 13,266 convictions for failure to maintain or failure to show proof of motor vehicle insurance in Idaho, however, that offers no insight about those who drive without insurance and have not been caught. A 1988 study indicated between 6% and 15% of Idaho drivers were operating without insurance.

It was also difficult to determine the number of drivers operating without a license. Using suspension data, staff determined approximately 5% of all drivers had their licenses suspended, and therefore had the possibility of driving without a license.

Neither of these two issues are related to the Office of Highway Safety's programs or activities. OHS's overall mission is to fund programs and activities that reduce deaths and injuries on the roadways.

The last issue regarded the Idaho Traffic Safety Commission. OHS Manager Bishop explained the procedures to fill vacancies: determine which members' terms are about to expire and what subject matter expert is needed for the vacant term; ascertain the member's desire to be reappointed; compile a list of recommendations, one for each vacancy; and forward it to the Director. The Director make the appointments, as indicated by Section 40-508 of the Idaho Code. Gender and geographics are also a consideration in appointments.

Selection of Permanent Director. By unanimous vote, the Board selected Dwight M. Bower as the permanent Department Director effective November 15, 1993. Mr. Bower is the Deputy Director for the Colorado Department of Transportation and has an engineering degree. The Board members are looking forward to Mr. Bower's leadership because of his strong skills in management, planning, consensus building, motivation, communication, and legislation.

The Board members thanked Keith Green for his service as Acting Director since October 1992 and asked him to continue serving as Acting Director until November 15, 1993. They further authorized a five percent salary increase effective August 29, 1993 for Keith Green.

Briefing on Management of Public Transportation (PT) Projects. Public Transportation Administrator Oz Reyna provided information and background on the management of public transportation projects.

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The Board requested additional information, such as clarification of equipment ownership and vehicle titling on public transportation provider-funded buses and vans; impact of more than three Public Transportation Advisory Council meetings per year and its list of goals/objectives; and an evaluation of whether PT can provide oversight of public transportation provider activities in non-contract areas.

Recommended Funding Levels for Public Transportation Projects. The Board members reviewed the summarized recommendations for project funding under the Federal Transit Administration for FY94 as prepared by the Public Transportation Advisory Council. This information will be used to update the Public Transportation portion of the 1994 Statewide Transportation Improvement Program, upon approval by the Board in September.

Appointment of Reviewer of Preliminary Orders in Contested Case Hearings. At its July 1993 meeting, the Board decided that orders in contested case hearings shall be in the form of "preliminary" orders--an order that becomes final in 14 days after issuance unless a petition for review is filed. The Board may review a preliminary order or it may delegate this authority to one or more persons, either within or outside the Department.

Because District Engineers, ITD lawyers and even Bureau Chiefs are often active advocates of a particular position in a contested case hearing, their assumption of this responsibility may not be appropriate. Also, procuring outside counsel or consultants for this purpose may be an unwarranted expense, so staff suggested appointing the Director to review preliminary orders of hearing officers. If in the future the number of preliminary orders to be reviewed becomes an undue burden upon the Director, he may delegate this action within the Department.

Vice Chairman Smith made a motion to appoint the Director, or ITD designee, to review preliminary orders upon which petitions for review are filed, and to develop an administrative policy to that effect. Member Mitchell seconded the motion and it passed unopposed.

Status of Tower Associates. Chief Legal Counsel Trabert told the Board he'd continue to work with Tower for access on SH-69 but the subject was not yet ready to come back before the Board.

WHEREUPON the Board meeting recessed at 4:45 PM.

August 20, 1993

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. The Board met in executive session with Acting Director Green at 7:00 AM to discuss personnel matters.

August 20, 1993

The regular meeting reconvened at 8:20 AM, in the District 3 conference room. All Board members were present.

Director's Report - Continued. Acting Director Green briefed the Board on proposed major budget items for FY95. Personnel costs have been adjusted upward to cover fringe benefits and longevity changes. The annualization cost is for the delayed implementation of Phase 2 of the retirement enhancement initiated in October 1993. For planning and revenue purposes, a 3.75% change in employee compensation has been estimated, pending decisions by the Governor and Legislature. Operating expenditures have been adjusted upward by 3% in keeping with the Division of Financial Management (DFM) guidelines for inflation. Forty-three full-time positions were requested by Sections/Districts. The reduced recommendation reflects 16 positions. Capital facility improvements and building replacement amount to \$4.2 million. Modifications will be made to this proposed budget per input from the Board members by September 15. At that time the budget will be submitted to DFM.

Professional Agreements. In accordance with Board Policy B-06-08, Obtaining Professional Services, the Board members reviewed the list of payments made for professional services during the month of July. Payments for engineering consultant agreements amounted to \$124,555.59, and the general consultant agreement payments equalled \$55,946.00 for a grand total of \$180,501.59.

Additional Project Advances. Additional project advances are needed to fully utilize available federal-aid funds in FY93 due to local project delays. Staff requested advancing Key 5051, I-90, Rose Lake IC to Elizabeth Park GS from FY94; Key 5403, I-84, Meridian IC to Eagle Road IC from Preliminary Development; and Key 5301, I-90, Seltice Way to SIRR, Post Falls from FY95.

Vice Chairman Smith made a motion, seconded by Chairman Combo, to approve advancing keys 5051, 5403, and 5301 to FY93. Member Mitchell voted nay; the motion carried.

Shelley Traffic Signal. A traffic light in Shelley on US-91 has been proposed by the District to be included in the FY95 program which will be reviewed by the Board in September 1993.

Cessna 182. A replacement aircraft for the Cessna 182 is included in the FY95 budget. Funds for the plane would come from the sale of the Navajo and the C-182.

Post Falls. During the July Board meeting and tour of District 1, the Board met with R.K. Potter, Jobs Plus, who supported local road improvements to accommodate potential traffic increases in Post Falls on Seltice Way and Pleasant View Road because of expected population growth and development activity. Member Mitchell asked District 1 Engineer Baker to analyze and identify alternatives to handle the potential traffic.

August 20, 1993

CMAQ - Continued. Vice Chairman Smith shared the Board's preliminary guidance for the CMAQ program presentation in September:

- Transfer all traffic signals from FY94 CMAQ to STP;
- Draft criteria for bike paths in CMAQ and review with the Bicycle/Pedestrian Coordinator for endorsement of traffic reduction potential as opposed to recreational uses;
- Move all CNG buses to preliminary development; and
- Delete all requests for equipment.

Project Briefing by DE-3. District Engineer LeRoy Meyer briefed the Board on several area projects. Member Mitchell will receive a separate briefing to answer his questions on the SH-55, McCall alternate route.

July 1993 Board Minutes. The minutes of the July 26-27, 1993 Board meeting were approved as corrected by the Board members.

Tour of District 3. At 9:30 AM, the Board and staff left the District 3 Office and drove west on US-20/26 to a point near Hewlett-Packard.

Delegation - Property Owners on US-20/26. Elden Gray requested an appointment with the Board to discuss area residents' concerns over increased traffic on US-20/26 (Chinden Boulevard). Property owners requested that a frontage road be constructed so that limited/controlled access onto the highway would provide a safer situation for them. District Engineer Meyer explained that there currently was no project in the program to widen US-20/26 although one has been discussed by staff. ACHD Traffic Engineer Terry Little discussed Ada County's thoughts about improving the intersection of US-20/26 and Cloverdale.

The Board directed the District to consider the request in any future project that would be proposed.

The tour continued on US-20/26, SH-55, I-84, SH-19 and US-95 to Homedale.

Delegation - Residents of Homedale. Mayor Paul Fink requested the appointment to discuss the proposed alternate route of US-95 that would bypass the city's center. His concern centered on the possible loss of income for downtown businesses. Several other residents voiced a similar concern.

Board members encouraged the community to attend and testify at the public design hearing on the project which would be held sometime in 1994.

The tour continued on US-95 and SH-55. The Board viewed the intersection of 10th Avenue (south of Caldwell) and SH-55 and turned the issue of traffic congestion over to the District for conceptual design. The itinerary brought the group to Nampa for lunch.

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Delegation - Pete Echevarria, Property Owner near Proposed Karcher Interchange.

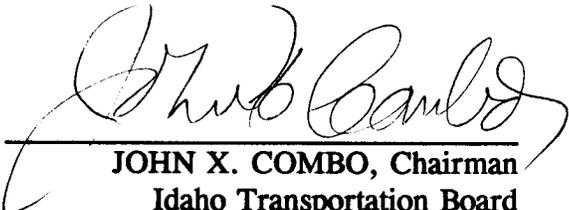
Mr. Echevarria was not happy with right-of-way negotiations being conducted by the District. His property would be landlocked by the proposed project and he preferred access from another direction or a trade for similar property.

Board members asked DE-3 Meyer to look at obtaining an easement across adjacent properties for access to Mr. Echevarria's land.

From Nampa, the tour continued on I-84 to Boise where the Board looked at a proposed widening project of the Emerald Street overpass to accommodate ACHD's planned widening of the street to five lanes. Also discussed were the Cole-Overland and Wye interchange projects. On the way to the East Boise Port of Entry, DE-3 Meyer also briefed the Board on new development at the Gowen interchange which could necessitate improvements in that area.

Tour of East Boise Port of Entry. Area Supervisor John Sonnenberg described the new facilities and lead the Board on a tour of both sides of the port.

The regular monthly Board meeting and tour of District 3 officially adjourned at 4:30 PM.



JOHN X. COMBO, Chairman
Idaho Transportation Board

Read and Approved
September 21, 1993
Boise, Idaho

August 20, 1993

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

September 20-21, 1993

The regular session of the Transportation Board meeting convened at 8:00 AM in Boise, Idaho in the Transportation Building. The following people were present:

John X. Combo, Chairman - Region 1
 Leon E. Smith, Jr., Vice Chairman - Region 2
 Mike P. Mitchell, Member - Region 3
 Mary F. Detmar, Executive Assistant to the Board
 Sue S. Kaufman, Administrative Secretary to the Board
 G. Keith Green, Acting Director
 Jeff Stratten, Public Affairs Officer
 Jack T. Coe, Division Administrator - Federal Highway Administration

FY94 Highway Development Program Update. Program Control Manager Ray Mickelson provided a brief overview of the procedures to update the programs. Discussion followed on the Interstate Maintenance and the National Highway System (NHS) Programs.

The Board recessed at 9:50 AM to participate in the Employee Service and Safety Awards at 10:00 AM in the auditorium.

At 11:05 AM the Board reconvened in the Board Room to continue deliberation of the Highway Development Programs. The STP - State Program was covered.

Addition of Plummer, North, ST-5110(623), Key 5684, US-95, District 1. The Board unanimously approved the addition of the Plummer, North pavement recycle project to the State Program for FY95 in the amount of \$343,000 from Board discretionary funding.

Congestion Mitigation/Air Quality (CMAQ) Policy. Vice Chairman Smith stated the main objective of the CMAQ Program is to reduce air pollution from standard gasoline and diesel motor vehicles and thus improve air quality. He then made a motion to develop a policy outlining the priorities for acceptance of CMAQ projects; a one-year plus FY94-96, Preliminary Development category for accepted projects; and unused CMAQ funds existing after September of each year to be transferred to the STP Program(s) for use in the Highway Development Program as determined by the Board. Member Mitchell seconded the motion and it passed unanimously.

Doug Cole with the Environmental Protection Agency voiced his support for this CMAQ policy and volunteered his assistance to help develop the policy.

September 20, 1993

Vice Chairman Smith made a motion to have staff develop a proposal for a review committee, comprised of technical state and federal employees, to review submitted CMAQ projects and determine criteria for acceptance in the program. Chairman Combo seconded and the motion passed unopposed.

The Enhancement Program was then reviewed.

Aeronautics 3-Year Grant Programs and General Aviation 3-Year Federal Grant Program. Wayne Pickerill, Airport Development Manager, presented the Aeronautics Programs. The Aeronautics Advisory Board previously approved these programs.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to approve the Aeronautics 3-year grant programs and general aviation 3-year federal grant programs, as shown in Exhibits 84 and 85, respectively, which are made a part hereof with like effect. The motion carried.

Grant Applications for Federal Transit Administration, Sections 8, 16(b)(2), 18 and 26(a)(2) Programs. Public Transportation Administrator Oz Reyna presented the Public Transportation Programs. The Federal Transit Administration would fund:

Section 18 - Rural Public Transportation in the amount of \$722,602,
 Rural Transportation Assistance Program for \$63,331,
 Section 16(b)(2) - Capital Assistance for the Elderly and Disabled for \$304,640, and
 Section 8 and 26(a)(2) - Planning and Technical Assistance Program in the amounts of \$153,000 and \$38,750, respectively.

Member Mitchell made a motion to authorize the Division of Public Transportation to apply for, execute, and implement the Federal Transit Administration grants funded under Section 8, 16(b)(2), 18, and 26(a)(2). Vice Chairman Smith seconded the motion and it passed.

Continuation of the Highway Development Program. The Board members discussed the STP - Rural, STP - Urban, STP - Safety, Bridge, and Demonstration Programs.

With the exception of Chairman Combo voting no to advance key 2521, Cole/Overland Interchange to FY94, the Board members unanimously approved the revised FY94 Highway Development Program. The approved programs are shown in the following exhibits which are made a part hereof with like effect:

Interstate Maintenance, Exhibit 86
 National Highway System, Exhibit 87
 STP State Highway Development, Exhibit 88
 STP Local Rural, Exhibit 89
 STP Local Urban, Exhibit 90
 STP Safety, Exhibit 91
 STP Enhancement, Exhibit 92

Congestion Mitigation and Air Quality, Exhibit 93
 Bridge Development, Exhibit 94
 Demonstration, Exhibit 95
 Other Funding (Indian Reservation Roads, Parkways & Park Highways, and Scenic Byways Projects), Exhibit 96

Highway Planning and Research (HPR) Program Review. Chief of Transportation Services Jerry Dick explained that HPR funds are derived by taking two percent off the top of the various ISTEA funding categories. By Federal mandate, 25 percent of the HPR funds must be used for research and the balance is used to fund various planning activities approved by FHWA. The Board reviewed these activities.

WHEREUPON the Board meeting recessed at 4:45 PM.

September 21, 1993

The Transportation Board meeting reconvened at 8:10 AM on Tuesday, September 21 at the Transportation Building in Boise, Idaho. Chairman Combo and Member Mitchell were present. Vice Chairman Smith and Acting Director Green were meeting with the Boise Area Chamber of Commerce.

August 1993 Board Minutes. The minutes of the August 19-20, 1993 Board meeting were approved as corrected by the Board members.

Board Meeting Dates. The following meeting dates were scheduled by the Board:
 October 25-26, 1993 - District 5
 November 18-19, 1993 - District 2
 December 16-17, 1993 - Boise

Consent Calendar. The following items on the consent calendar were unanimously approved by the Board:

1) Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

NH-F-5121(044) and STKP-1567, Keys 4178 & 5067 - Thama to Wrenco Loop, and Priest River and Lamb Creek, Bonner County, US-2, District 1. Low bidder: S.A. Gonzales Construction, Inc., Newman, Washington - \$7,358,354.50.

UST-12800, UST-11600, & UST-11300, Keys 4893, 4902, & 4941 - Santa, Sandpoint, and Clark Fork Underground Storage Tanks, Benewah and Bonner Counties, District 1. Low bidder: Dale's Service Company, Boise, Idaho - \$148,462.81.

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STKP-1575 & STKP-1573, Keys 5075 & 5073 - St. Maries and Santa, Benewah County, District 1. Low bidder: DeAtley Company, Inc., Lewiston, Idaho - \$238,000.00.

STP-M-7254(001), Key 0902 - 18th/17th Streets, 11th Ave. to Main Street, Lewiston, Nez Perce County, District 2. Low bidder: A & R Construction, Inc., Lewiston, Idaho - \$3,077,338.31.

ST-2390(626), Key 5346 - Jct. SH-24, Shoshone, Lincoln County, District 4. Low bidder: Lakeside Industries AJV, DBA Valley Paving, Bellevue, Idaho - \$54,999.00.

STP-RS-2742(004), Key 4002 - Jct. SH-27, West, Cassia County, District 4. Low bidder: Hunziker Construction Company, Pocatello, Idaho - \$622,607.40.

NH-IR-F-5116(071), STKP-1568 & STKP-1569, Keys 4458, 5068, & 5069 - Kootenai Cutoff thru Colburn, Sandpoint & Clark Fork, Bonner County, US-95, District 1. Low bidder: DeAtley Company, Inc., Lewiston, Idaho - \$6,796,421.25.

PFH-55-1(001), Key 4200 - Glenwood Road, Idaho County, District 2. Low bidder: Seubert Excavators, Inc., Cottonwood, Idaho - \$1,618,530.60.

PLH-STP-RS-4704(006), Key 2310 - Harpster Jct. to Mt. Idaho Br., SH-14, Idaho County, District 2. The low bid was more than 25 percent under the engineer's estimate, requiring justification. The SP-2 Pavement Repair pay unit was changed from square yards to cubic yards at the Final Design Review. This square yard pay unit included all the material and work necessary to complete the work; however, when the SP-2 was rewritten, the materials were included in their respective items but changing the unit price to reflect this change was overlooked. Also, the mobilization price was quite a bit lower than the engineer's estimate. This can be attributed to the fact that the low bidder is already working on a project in the area. The Board concurred with staff's recommendation to award this bid. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$1,204,398.50.

ST-3707(602), Key 5114 - Envirosafe Road, East/West, Owyhee County, District 3. The low bid was more than 25 percent under the engineer's estimate, requiring justification. During project development, potential material sites and excess material sites in the surrounding area were investigated. No sites that were State controlled and close enough to be economical were found. Also, this project is surrounded by environmentally sensitive areas, causing potential for long hauls, therefore, a higher estimate was generated for the items. The contractors bidding this project apparently located what they feel is an acceptable materials source close to the project, making this bid seem reasonable. The Board concurred with staff's recommendation to award this project. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$1,247,045.99.

STKP-4581, STKP-4579, STKP-4577, & STKP-4578, Keys 4867, 4865, 4863, 4864 - North Wendell, East Jerome, West Minidoka, & West Kimama; Gooding, Jerome, Minidoka,

& Lincoln Counties, District 4. The low bid was more than ten percent over the engineer's estimate, requiring justification. These stockpile projects were previously bid in June 1993 as two separate contracts and were rejected because they were in excess of 110 percent of the engineer's estimate. The higher cost for producing Class 4 Cover Coat Material from the sources set up for this project is not in line with the available historical cost data. Also, crushing contractors have recently been bidding this type of work on the high side in this region. The Board concurred with staff's recommendation to award this contract. Low bidder: Kloepfer, Inc., Paul, Idaho - \$278,995.00.

BRF-2390(102), Key 0524 - Low Line Canal, SE of Filer, Twin Falls County, District 4. The low bid was more than ten percent over the engineer's estimate, requiring justification. The borrow price used for the engineer's estimate was consistent for this area for a large borrow job. The \$10.00 price of the low bidder is more in line with the statewide average for small quantities represented by this project. The engineer's estimate for removal of detour was considerably below the average of the bidders. The Board concurred with staff's recommendation to award this contract. Low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$649,855.46.

IM-84-4(005)254, Key 3240 - Sweetzer IC to Juniper RA, Cassia & Oneida Counties, Districts 4 & 5. Low bidder: H K Contractors, Inc., Idaho Falls, Idaho - \$4,807,518.75.

STP-HES-7231(013), Key 4429 - Maple, Pine, Cedar at Yellowstone, Pocatello; Bannock County, District 5. The low bid was more than ten percent over the engineer's estimate, requiring justification. This project was readvertised after the original bids were rejected in March due to bids in excess of the engineer's estimate. Considerable savings in the traffic signal bids were realized, however, other items were increased due to an overall labor rate increase. Additionally, the asphalt costs have increased since March and there is a cost increase associated with the percentage increase in Disadvantaged Business Enterprise goal to 12 percent. Because it is unlikely that any savings would be realized in readvertising and accident costs continue to add up at these intersections, the Board concurred with staff's recommendation to award this contract. Low bidder: Hunziker Construction Co., Pocatello, Idaho - \$587,140.65.

ST-6803(602), Key 5349 - Salem Union Canal, St. Anthony, Fremont County, US-20B, District 6. Low bidder: Cannon Builders, Inc., Blackfoot, Idaho - \$132,145.94.

PFH-34-1(004), Key 5327 - S. Ashton to Dumpground Road, Fremont County, US-20, District 6. Low bidder: Robert V. Burggraf Company, Inc., Idaho Falls, Idaho - \$1,449,346.75.

2) Board Policy B-09-06, State Highway System - Additions and Removals, which combines B-09-06, State Highway System - Removals and Additions, and B-09-07, Addition of Roads to the State Highway System.

September 21, 1993

3) Out of state travel report.

Professional Agreements. In accordance with Board Policy B-06-08, Obtaining Professional Services, the Board members reviewed the list of payments made for professional services during the month of August. Payments for engineering consultant agreements amounted to \$271,482.93, and the general consultant agreement payments equalled \$121,222.00, for a grand total of \$392,704.93.

Impact of Motor Voter Registration Act of 1993. The Motor Vehicle Bureau (MVB) is currently working with the Chief Deputy Secretary of State to implement the federally-mandated Motor Voter Program by January 1, 1995. While the Motor Voter Act applies only to federal elections, the Idaho Secretary of State's Office indicates that it will implement legislation to include all elections. The MVB will assist the Secretary of State's Office in drafting this legislation.

This Act has many financial and procedural impacts upon the Department, primarily caused by the lack of funding, the increased workload placed upon the counties and MVB, and the possible need to amend Idaho Code to allow the use of Social Security Numbers as the common number for driver and voter records. The funding issues will be dealt with by the counties and the MVB individually, based upon manpower requirements, printing costs, and other motor voter related expenditures.

The Secretary of State will be attending a motor voter conference sponsored by the Federal Election Commission and will inform ITD of the information gained from that meeting. Staff will continue to update the Board on this issue as information becomes available.

Authority to Condemn. The Board signed the order of condemnation on the following parcel as recommended by the Chief of Highway Operations:

<u>Project No.</u>	<u>Parcel No.</u>	<u>Key No.</u>	<u>Route No.</u>
RS-2709(006)	2	3586	FAS-2709

Authority to Negotiate and Acquire Property Valued over \$100,000, Project F-3271(52), Key 3758, Parcel 27, SH-55, District 3. This property, 35.17 acres, is within the city limits of Eagle. The right-of-way requirement of 6.86 acres along the entire east side of the parcel is to construct a portion of the roadway to realign and widen SH-55. The reviewed fair market value of the land required is over \$100,000. Two independent fee appraisals were obtained from Idaho certified general appraisers.

The Board concurred with the Chief of Highway Operations' recommendation to authorize negotiation and purchase of this property valued in excess of \$100,000.

Filer Highway District Funding Request, STP-RS-2715(001), Key 4004, Deadmans Corner, Twin Falls County, District 4. The Filer Highway District has requested that ITD

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advance \$185,000 in State funds in exchange for a like amount of Local STP funds to reconstruct a dangerous curve known as Deadmans Corner. The project has been included in the Board-approved Local STP Program since 1986.

The Board unanimously approved advancing \$185,000 in State funds in exchange for a like amount of Local STP funds for project STP-RS-2715(001).

Vice Chairman Smith and Acting Director Green joined the meeting at this time.

Proposal for In-House Disadvantaged Business Enterprise (DBE) Program. Under this federally-funded program, ITD has contracted with outside consultants to provide Disadvantaged Businesses with support, referral, and training in management, finance, and technical skills. Outreach contacts to recruit small minority- and women-owned businesses for DBE certification have also been established.

In an effort to increase the quality of the DBE supportive services offered and maintain cost efficiency, the Civil Rights Section conducted research and concluded that the "in-house" method for DBE supportive services would be beneficial for ITD and the DBE participants. The Board reviewed the history of ITD's DBE program, a summary of current bid proposals, and a summary of methodology.

Member Mitchell made a motion, seconded by Vice Chairman Smith, to approve developing an in-house DBE supportive services program at ITD. The motion carried.

Geographical Living Expenses. Chief of Administration Dick Transtrum summarized his discussions with Dick Hutchison, Personnel Commission Director, regarding higher cost-of-living expenses in certain areas. Some options to specifically alleviate the problem in Blaine County include exploring Department-furnished housing, cost-of-living variances within ITD's pay steps, and selective certification for people in District 4. Chairman Combo said the Board will work with the Blaine County Commissioners to help resolve this issue.

Consultant Design for IM-84-4(003)269, Key 2789, Juniper Rest Area to Utah State Line, I-84, District 4. This project is proposed for FY96 in the amount of \$11.71 million. Because of the heavy work load in District 4, staff requested approval to hire a consultant in the amount of \$300,000 to \$500,000 to design this project.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to defer this item until next month. The motion carried. Staff is to pursue options other than hiring a consultant to design this project and report back to the Board.

Consultant Design for BRF-4113(078), Key 2836, Goff Bridge, North of Riggins, US-95, District 2. ITD staff is designing the new Goff Bridge, programmed in FY95 in the amount of \$9.89 million. To maintain traffic during construction, it will be necessary to

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provide a detour bridge, which staff is requesting to hire a consultant to design. The consultant design would cost approximately \$150,000 to \$250,000.

Member Mitchell made a motion to approve hiring a consultant in the amount of \$150,000 to \$250,000 to design the detour bridge for project BRF-4113(078), key 2836, Goff Bridge, north of Riggins. Vice Chairman Smith seconded the motion and it carried.

Idaho's State Transportation Improvement Program (STIP). One requirement of the Intermodal Surface Transportation Act (ISTEA) is the development and adoption of an STIP. All highway and transit projects in Idaho funded under Title 23, USC and the Federal Transit Act must be included in a federally-approved STIP. These projects must be consistent with a statewide long-range transportation plan, consistent with metropolitan transportation improvement programs, within expected funding levels, and selected as a result of providing an opportunity for public comment. Upon Board approval, the STIP will be forwarded to FHWA and FTA for approval.

Governor Andrus has designated ITD the responsibility of approving each Metropolitan Planning Organization's (MPOs) Transportation Improvement Program. Department staff has worked closely with the three MPOs to insure consistency of state/local planned transportation projects.

Member Mitchell made a motion, seconded by Vice Chairman Smith, to approve the State Transportation Improvement Program, and the MPOs' Transportation Improvement Programs. The motion passed unopposed.

Statewide Rest Area Planning. The Board reviewed a summary of rest area projects in the current program.

The Bliss rest area is scheduled for rehabilitation in FY95. However, Idaho Parks and Recreation (IPR) has approached ITD about the possibility of a joint ITD/IPR rest area at Malad Gorge State Park on I-84. One of the justifications was that the rest areas at Malad Gorge could replace the Bliss rest areas and eventually the eastbound rest area between Jerome and Twin Falls at MP 171 and the westbound rest area north of Twin Falls at MP 175.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to approve the concept of evaluating new rest areas at Malad Gorge as an alternative to rebuilding the Bliss rest area.

Authority to Negotiate and Acquire Property Valued over \$100,000, Project F-3271(52), Key 3758, Parcel 25, SH-55 and Hill Road, Eagle, District 3. The subject property, an operating gravel pit, is 44.54 acres zoned heavy manufacturing district. The project requires 5.31 acres of the 44.54 acre tract to realign and widen SH-55. After the project is built, there will be 18.26 acres remaining to the right and a landlocked 21.97 acre

portion to the left of the 5.31 acre requirement. The reviewed fair market value of the land required and damages to the remainder is in excess of \$100,000. The landlocked portion will be used as a material or borrow source for the project if the owner agrees to its sale. The additional cost to acquire this as an uneconomic remnant is also above \$100,000. Two independent fee appraisals were obtained from Idaho certified general appraisers.

Member Mitchell made a motion, seconded by Vice Chairman Smith, to defer this item, have staff explore all options, and negotiate with the land owner, then report back to the Board. The motion passed.

Estimating Contracts. Chief of Highway Operations Monte Fiala summarized the new procedures ITD is implementing to improve the engineer's estimates. Before bids are submitted to Headquarters, the District Engineer or Assistant District Engineer, Resident Engineer, and Project Development Engineer must all review the estimates. Also, traffic control will be checked closer because numerous change orders have been received due to traffic control.

Administrative License Revocation (ALR) Act Update. Chief Legal Counsel (CLC) Bob Trabert briefed the Board on the status of the ALR. He is in the process of selecting hearing officers and would like to have them hired by February 1, 1994. A grant has been applied for through the Office of Highway Safety for training expenses.

The Board members requested the list of prospective hearing officers before final selection is made. All hearings are to be held in the District Offices with the exception of Districts 4 and 6, which should be held in Twin Falls and Idaho Falls, respectively.

Quarterly Legal Report. CLC Trabert briefed the Board on pending legal cases.

Impact Fees Assessed Against Title Applications. The Governor's Office requested projected revenue if impact fees were assessed against title applications for passenger cars and trucks being brought into Idaho. Chief of Motor Vehicles (CMV) Doug Kraemer showed the Board a summary sheet of what the estimated impact fees would be if they are implemented.

AAMVA Committee Member. For the Board's information, CMV Kraemer shared that as a Board member of AAMVA, he has been asked to be the representative to the Police Traffic Services Committee. This will involve attendance at the committee's annual meeting.

Director's Report. Acting Director Green told the Board members that Yvonne Ferrell, Director of Parks and Recreation, is in the process of preparing recommendations to fund visitors' centers.

Regarding Coeur d'Alene Lake Drive, District 1 is drafting a proposal for the Board's review before it is submitted to Parks and Recreation.

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All of ITD's legislative items that were submitted to the Governor's Office have been accepted. Staff is currently in the process of reviewing a list of proposed legislation from all state agencies.

Executive Session on Personnel Issues, Section 67-2345(b), and Legal Issues, Section 67-2345(f), Idaho Code. At 2:40 PM the Board met in executive session with Acting Director Green to discuss personnel matters and legal issues.

The Board came out of executive session at 3:45 PM. No decisions were made.

The regular monthly Board meeting officially adjourned at 3:50 PM.



JOHN X. COMBO, Chairman
Idaho Transportation Board

Read and Approved
October 25, 1993
Pocatello, Idaho

September 21, 1993

**REGULAR MEETING AND DISTRICT 5 TOUR
OF THE IDAHO TRANSPORTATION BOARD**

October 25-26, 1993

The Board meeting and District 5 Board tour convened at 8:00 AM in Pocatello at the District 5 EOC Office. The following people were present:

John X. Combo, Chairman - Region 1
 Leon E. Smith, Jr., Vice Chairman - Region 2
 Mike P. Mitchell, Member - Region 3
 Sue S. Kaufman, Administrative Secretary to the Board
 G. Keith Green, Acting Director
 Brent Frank, District 5 Engineer

Board Meeting Dates. The following meeting dates were scheduled by the Board:
 November 18-19, 1993 - District 2
 December 16-17, 1993 - Boise

September 1993 Board Minutes. The minutes of the September 20-21, 1993 Board meeting were approved as corrected by the Board members.

Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

STP-RRP-HES-7605(001), key 3378 - Int. Ross Point & SH-41, Post Falls, SH-41, Kootenai County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. The variation of the contractors' bids was in the traffic signal and mobilization items. The District believes the adjustments to the engineer's estimate for the items is justified due to the location and type of project. After it received additional information from the staff, the Board concurred with staff's recommendation to award this contract. Low bidder: Glen L. Waddell, Inc., Coeur d'Alene, Idaho - \$538,245.60.

STM-6350(608) and STM-6350(609), keys 5279 and 5280 - Watts Br. to Cow Cr. and Allison Creek, US-93, Custer and Lemhi Counties, District 6. Low bidder: Snake River Construction, Inc., Twin Falls, Idaho - \$90,472.50.

IM-15-1(109)36, key 2774 - Virginia I.C. to Arimo, I-15, Bannock County, District 5. Low bidder: LeGrand Johnson Construction Co., Logan, Utah - \$1,126,323.43.

IM-IR-15-3(074)134, key 3829 - Roberts I.C., I-15, Jefferson County, District 6. Low bidder: Ralph L. Wadsworth Construction, Salt Lake City, Utah - \$754,240.81.

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NH-F-6501(041), key 4468 - Beeches Corner to Ririe, US-26, Bonneville County, District 6. The low bid was more than 25 percent under the engineer's estimate, requiring justification. Some of the items with major differences included stripping, reclamation, SS-1, plant mix, and mobilization. The contractor apparently approached the stripping and reclamation as items that can be done concurrently with other operations and bid zero on these items. Asphalt prices are always very difficult to estimate for the next year, and mobilization is also an item difficult to estimate because it may be high on one project and low on the next. The Board concurred with staff's recommendation to award this contract. Low bidder: Robert V. Burggraf Company, Inc., Idaho Falls, Idaho - \$865,443.00.

Removal of Portion of SH-25 from State Highway System. Road Closure and Maintenance Agreements were made with the Bliss and Hagerman Highway Districts in 1974, removing sections of old SH-25 from the State Highway System. However, the official minute relieving the State of responsibility for the said sections of road was never signed. The two highway districts have been maintaining and are obtaining credit on their county mileage reports for the portions of this route.

The Board signed the official minute removing sections of old SH-25 from the State Highway System, as shown in Exhibit 97, which is made a part hereof with like effect.

Removal of Portion of US-91 from State Highway System. The realignment of US-91 at the Bear River slide area has been completed, and the route was opened to traffic in July 1993. The official minute relinquishing a portion of the old alignment to Franklin County was signed, as shown in Exhibit 98, which is made a part hereof with like effect.

Proposed Addition of US-89 to the National Highway System. The Board approved Idaho's proposed National Highway System (NHS) for submission to the Federal Highway Administration in February 1993. Although Utah was proposing to place US-89 on its NHS, it was unclear whether Wyoming would place US-89 on its NHS. Because Wyoming is now planning to include US-89 on its system, ITD staff recommended placing Idaho's portion of US-89 on the NHS for system continuity, and to provide a more direct connection across southeastern Idaho.

Without objection, the Board approved upgrading US-89 to a principal arterial and including it on Idaho's NHS.

Delegation - Public Transportation Advisory Council (PTAC). Annette Lee, Chair, headed the presentation. Janis Rhoades started by discussing the strategic plan and operating procedures. PTAC's mission statement is to provide everybody in Idaho access to public transportation. Some of the Council's goals include: promoting public transportation; promoting a stable funding base; and relaying concerns to those in authority, and communicating with local elected officials.

Vice Chairman Smith agreed that the funding issue is an important goal, but added that regional plans are a higher priority. Another matter that needs attention is the utilization of state-owned vehicles, and the possibility of reducing the number of vehicles owned by state agencies. Member Mitchell stressed the importance of keeping the Board informed of the Council's activities, especially regarding legislation and the action program.

Request to Expand Number of Authorized Meetings for Public Transportation Advisory Groups. PTAC requested approval to increase the number of meetings for the Council and the Regional Public Transportation Advisory Committees from three per year to no more than six. The Council thinks a need exists to expand the number of meetings in order to maintain continuity and focus of each groups' activities as they work towards full implementation of HB779.

Without objection, the Board approved PTAC's request to increase their meetings to a maximum of six per year on a one-year trial basis. The Council and Committees are to provide the Board with their goals and objectives to review at the end of the year. Staff will revise Board Policy B-28-02, Public Transportation Services Advisory Council and Regional Public Transportation Advisory Committees, to reflect this change.

Debra Gordon continued by talking about the legislative process. PTAC believes the transportation plan needs top priority and that the Council needs to keep the legislators informed of its progress and actions.

Regarding allocation of resources, Ms. Rhoades said issues such as amending all contracts, coordinating services, the grant process, and formula funding will all be brought to the Board before adoption.

The Interagency Working Group is working on transporting Medicaid patients, according to Annette Lee. She also mentioned the resignations of two members on the PTAC and asked if the Council could have a role in selecting those replacements. Ms. Lee said the Council appreciated the opportunity to meet with the Board, and values the good communication between PTAC and the Transportation Board members.

Nominations to Replace Vacancies on Districts Two and Six Regional Public Transportation Advisory Committees (RPTAC). The RPTAC Chairs reviewed the nominations, which were solicited through major newspaper ads, remaining RPTAC members, the Area Agency on Aging, and the transit providers in each district. After the Committees' recommendations were chosen, the nominees were contacted to ensure interest and willingness to serve.

Without objection, the Board approved the appointments of Jerry Schutz and Laurie Sperl to fill the vacancies in Districts Two and Six, respectively.

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Delegation - Division of Environmental Quality (DEQ). According to Audrey Cole, Monitoring and Technical Support Field Supervisor, parts of Power and Bannock Counties do not meet the National Ambient Air Quality Standards for fine particulate called PM-10, and is classified as a non-attainment area. Idaho DEQ submitted a plan to the U.S. Environmental Protection Agency to bring this area into compliance with the national standards for fine particulates. The Shoshone Bannock Tribes submitted a similar plan for part of the Fort Hall Reservation.

DEQ conducted a special study during the spring of 1993 to verify road sanding emissions. The results of this study indicate that winter sanding practices need to be changed, including those by ITD's District Five. DEQ is working with local highway/street agencies to implement changes in these practices.

The Board asked for a breakdown of this study so it knows what percentage of the emissions ITD is responsible for. The members thanked Ms. Cole for this informative presentation.

Delegation - Railroad Underpass in Blackfoot. Bart Metcalf explained that when a train stops on the tracks in Blackfoot, the east side of town is cut off from the west side. When a train is on the tracks, emergency services, located on the west side, are unable to get to the east side. He believes it is imperative to have a railroad underpass at Sherman Street.

Although the Board members understand the dilemma, the street is not on the State Highway System, so ITD cannot provide financial assistance. The Department will notify Mr. Metcalf if other funding sources are discovered.

Delegation - Southeast Idaho Council of Governments (SICOG). One of the requirements of the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA) is that the planning process should consider the effect of transportation policy decisions on land use and development, and consider the transportation needs of areas outside metropolitan areas through consultation with local elected officials. The SICOG is proposing establishing procedures to designate Regional Transportation Planning Organizations (RTPOs) within Idaho. Don Galligan said these RTPOs would contact all of the local public agencies regarding transportation planning activities, alleviating ITD's workload. SICOG would prioritize the requested projects, then forward this information to ITD. Mr. Galligan added that membership to the organization would be on a voluntary basis, and to date, 86 percent of the affected population is interested in joining this RTPO in District 5.

Bear Lake Commissioner Ron Law said his county is opposed to this organization. Currently, the County has a very good relationship with the Board and ITD, and it is interested in continuing the good, open line of communication.

The consensus of the Board members is that they do not have the authority to authorize RTPOs or require membership in them. Chairman Smith added that he supports

regional planning organizations established on a voluntary basis; however, another level of bureaucracy between local public agencies and the Transportation Department is not needed.

Addition of US-30/I-15 Business to the National Highway System (NHS). The Board approved Idaho's proposed NHS at its February 1993 meeting. Although Bannock Planning Organization (BPO) requested that US-30/I-15 Business Route be included on the system, the Board agreed with staff's evaluation that the route provides duplicate service and does not meet the criteria for inclusion. BPO appealed the Board's decision not to include this route on the NHS.

The Board deferred this item until additional information is obtained. Staff is to determine what the impact to ITD would be and what precedent the Department would be setting if US-30/I-15 Business is added to the NHS. As requested by the Board, Don Galligan will provide a list of businesses that would be impacted by this addition and would serve as the basis for this decision.

District Safety and Service Awards. The Board recessed at 11:20 AM to participate in the Employee Safety and Service Awards program.

The Board reconvened at 1:40 PM in the District EOC Office.

Delegation - Dealer Advisory Board (DAB). Before Chairman Park Price presented the annual report, he praised the excellent working relationship the DAB has with ITD staff and hopes to continue the excellent communication between the two groups. Additionally, he believes ITD has one of the best title systems in the nation.

Two concerns the DAB has are lien protection on titles and curbstoning. Idaho's current law allows a dealer to report the date of lien creation as the date of filing, if the filing was made within 30 days of the actual sale. Current federal law requires that titles be filed within 10 days to perfect liens, however, legislation is being proposed that would change the current federal law from 10 to 20 days. The Bankers Association was recommending a change of Idaho law to the proposed 20-day filing period. The DAB decided not to support a change in Idaho law until Federal law changed or the current 30-day lien creation date legislation was tested.

Curbstoning, the practice of acting as a vehicle dealer without a dealer's license, continues to be a problem. The issues this creates include: ensuring sales tax is collected; the protection of the consumers, including receiving an accurate odometer reading; and guaranteeing the purchaser secures a valid title.

Administratively, the DAB believes the Staggered Dealer Licensing law, effective January 1, 1994, will balance the workload at ITD, improve service to the public, and be more efficient; supports the electronic lien filing system being implemented; and approves the legislative change to allow large vehicle purchases for entities for specialty vehicles.

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Quarterly Report for FY-Program Obligations. The original obligation limitation was \$92.92 million, with \$.29 million transferred to the Demonstration Program. An additional \$1.51 million was received from redistribution funds, for a total of \$94.14 million in FY93. The Department has obligated all available \$94.14 million.

Request to Extend SH-46, Wendell to Buhl, and Add to the State Highway System, District 4. After previous requests to extend this road and add it to the State's system, the Board previously had directed staff to evaluate the route and revise the Board policy concerning additions and deletions to the State Highway System. The updated policy, B-09-06, State Highway System - Additions and Removals, was approved at the September 1993 meeting. Staff reported that this route received 79 points, out of a possible 100, qualifying it for addition to the system.

Staff was requested to assess the fiscal impact this addition would have on ITD, look at all available funding sources, and ascertain the feasibility of removing a portion of another road from the State Highway System if this portion is added to the system and to consider other factors such as acquiring all or part of the right of way. Staff is to report back to the Board at the January meeting with at least a progress report.

Certification of Revenue and Disbursements. In conformance with the requirements of Section 40-708, Idaho Code, the Board reviewed the certification of revenue and disbursements.

Without objection, the Board approved and signed the certification, shown in Exhibit 99, which is made a part hereof with like effect.

Professional Agreements Report. In accordance with Board Policy B-06-08, Obtaining Professional Services, the Board members reviewed the list of payments made for professional services during the month of September. Payments for engineering consultant agreements amounted to \$252,323.43, and the general consultant agreement payments equalled \$84,377.00, for a grand total of \$336,700.43.

Board Policy B-01-09, Authority to Sign Contracts, Agreements and Grants and their Registration. The Board deferred this item so the Legal Section could determine if agreements should be reviewed for substance instead of just as to form.

Board Policy B-06-30, Safety Program. This policy was revised to update the existing policy. No substantive changes were made.

Without objection, the Board approved the revised Board Policy B-06-30, Safety Program.

Board Policy B-19-01, Financing Construction of State Highways in Cities. As requested by the Board at its December 1992 meeting, staff developed a policy on state

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participation in non-federal-aid projects. Guidelines for these projects were included in Administrative Policy A-19-01, Financing Construction of State Highways in Cities. The corresponding Board Policy was revised to bring the references up to date.

Without objection, the Board approved the updated Board Policy B-19-01, Financing Construction of State Highways in Cities.

Board Policy B-19-10, Local Surface Transportation Program Funds. As a result of new funding categories contained in the ISTEA legislation, this policy was revised in June 1992. Since that time, additional information has been received concerning the implementation of funding through the Surface Transportation Program (STP). B-19-10 was revised to consolidate the various federal-aid highway programs available to local public agencies and will bring the policy in line with current requirements of ISTEA. The updated policy should also help to reduce costs incurred by ITD on locally-sponsored projects when assisting the local public agency in the consultant selection/negotiation process.

Without objection, the Board approved the revisions to B-19-10, Local Surface Transportation Program Funds.

Out of State Travel Report. The Board reviewed the requested travel and had no questions or comments.

History of the Motor Vehicles Audit Unit. As requested by the Board, staff prepared a brief history and overview of the Department's Audit Unit. The report detailed the history from 1980 when the unit was under the Department of Law Enforcement, to 1993.

Driver's License Renewal by Mail Process - IDAPA 39.02.76. The Motor Vehicle Bureau proposed a new rule implementing the provisions of Section 49-319(5), Idaho Code, regarding the creation of a driver's license renewal by mail program. The recommendation was for a six-month trial period to be set up in Ada County.

The Board deferred this item until staff could provide additional information. The Board is interested in the cost to ITD to set this up on a trial basis; the possibility of testing a less-populated, more remotely-populated county first, or one county in the north, the south, and the east being tested simultaneously; having other agencies, such as AARP, the Epilepsy League, and the Office on Aging, review the proposal and provide feedback; the impact this would have on insurance; a definition of "older driver"; and a synopsis of other states' experiences with a license renewal by mail program, i.e. problems with repeat offenders, elderly, handicapped.

Alcohol License Suspension (ALS). The Motor Vehicle Bureau prepared a summary on activities for the ALS Program, including how the program will work, required resources, and staff's responsibilities. Plans are to submit the rule concept to the Board in December 1993, establishing the procedures for this program.

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Except for the alcohol-related reinstatement fee increase which went into effect July 1, 1993, the ALS program will take effect on July 1, 1994. The main impacts of the program are the increased number of hearings, the increased number of restricted permits, and the additional time required to process the suspension paperwork.

Revisions to Special Permit Rules for Extra-legal Vehicle Operations. The Board evaluated the proposed additions, revisions, clarifications, and deletions to the following Department rules governing special permits for extra-legal combinations, legal weight limits, and policy during spring breakup:

- IDAPA 39.03.01 Definitions
- IDAPA 39.03.07 Restricted Routes for Semitrailers
- IDAPA 39.03.08 Weight Limits
- IDAPA 39.03.09 General Conditions and Requirements
- IDAPA 39.03.10 When a Special Permit is Required
- IDAPA 39.03.11 Special Permittee Responsibilities and Travel Restrictions
- IDAPA 39.03.12 Safety Requirements of Special Permit
- IDAPA 39.03.13 Overweight Permits
- IDAPA 39.03.14 Policy During Spring Breakup Season
- IDAPA 39.03.16 Oversize Permits
- IDAPA 39.03.17 Oversize Permits for Mobile/Modular Homes
- IDAPA 39.03.19 Annual Special Permits
- IDAPA 39.03.21 Special Permit Fees
- IDAPA 39.03.22 Special Permits for Extra-Length Vehicle Combinations
- IDAPA 39.03.23 Revocation of Special Permits
- IDAPA 39.03.24 Self Propelled Snow Plows

Without objection, the Board approved the conceptual changes to these rules and directed staff to proceed with regular rule-making. After staff distributes draft copies of the proposed rule revisions to the Motor Carrier Advisory Committee members and industry representatives, it is to report to the Board those changes that received objection.

Authority to Negotiate and Acquire Property Valued over \$100,000, F-3271(052), Key 3758, Parcel 48, SH-55 and Floating Feather Road, District 3. The Board concurred with the District Engineer's recommendation to negotiate and acquire the necessary right-of-way valued in excess of \$100,000.

Authority to Negotiate and Acquire Property Valued over \$100,000, NH-IR-84-1(013)33, Key 3214, Parcel 27, I-84, Karcher Road at Caldwell Boulevard, District 3. The Board concurred with the District Engineer's recommendation to negotiate and acquire the necessary right-of-way valued in excess of \$100,000.

Authority to Condemn. The Board signed the order of condemnation on the following parcel as recommended by the Chief of Highway Operations:

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<u>Project No.</u>	<u>Parcel No.</u>	<u>Key No.</u>	<u>Route No.</u>
NH-F-5121(044)	25	4178	US-2

Authority to Negotiate and Acquire Property Valued over \$100,000, RS-2709(006), Key 3586, Parcel 2, Clear Lake Grade, District 4. The Board concurred with the District Engineer's recommendation to negotiate and acquire the necessary right-of-way valued in excess of \$100,000.

Roving Port of Entry Activities. A number of complaints have been received recently regarding saturation by the roving ports of entry, and harassment by employees. Joan Klingler, Port of Entry Supervisor, explained the procedures the roving ports follow. These ports are set up for a maximum of two hours before they are moved to a new location. The POE employees try to be reasonable and are willing to work together with the farmers and drivers to ensure compliance.

Mountain Home Railroad Underpass Design Hearing, F-3341(10), Key 3550, District 3. A hearing was held on October 18 to obtain public input on the proposed design of this project. Most of the testimony received and comments heard were favorable to the proposed design presented at the hearing. Comments will be received until November 1.

Coeur d'Alene Lake Drive, District 1. An information meeting was held October 13 on this project. Generally, the people were happy with the design. The next step is final design.

Division of Aeronautics. Via conference call with Aeronautics Administrator Bill Cooper, the members discussed the cooperative aerial traffic patrol venture with Idaho State Police. Because this program is still in the experimental stage, ITD will not be involved in the press release announcing this venture.

The Board also directed staff to analyze and determine the feasibility of coordinating all ITD and other interested state agencies' air transportation on a trial basis. This would include both in-state and out-of-state travel. The Board authorized the hiring of a temporary employee as a travel coordinator to implement this action. The Board members will revisit this issue in six months.

Staff is to develop a policy regarding business transportation. An economical analysis should be included when an employee requests to drive rather than fly for his/her own convenience. The time spent away from the office and the expense of driving versus flying also needs to be considered.

WHEREUPON the Board meeting recessed at 5:00 PM.

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October 26, 1993

The Board members and appropriate staff departed Pocatello at 8:00 AM on Tuesday, October 26. The group drove south on I-15 to the Malad Summit Rest Area.

The Board asked staff to determine the feasibility of placing Merrill Road to Portneuf Hill, I-15, key 4973, in advance construction. Other projects should also be considered for advance construction by reducing the cash balance.

The tour continued south to the Cherry Creek Rest Area/Visitor's Center. Parks and Recreation employees Rick Just and Don Buehler gave a brief overview of the visitors' centers, not only at Cherry Creek, but also at the Snake River and Huetter Gateways. Dee Williams, a volunteer who works at the information center, was also available to answer questions. They reported numerous compliments have been received from the traveling public on Idaho's rest areas and information centers.

The group traveled north on I-15 to SH-36. After lunch in Preston, the party drove north on US-91, viewing the Bear River Hill slide project, to I-15. After a stop in McCammon to look at two structure decks and the maintenance shed, the group stopped at the Inkom Port of Entry. Inspector David Stoutner demonstrated the weighing operations, explained procedures, and answered questions.

Don Galligan, Planning Director for Bannock Planning Organization, met the Board members and staff at the intersection of Pocatello Creek and Alameda in Pocatello. Discussions are underway for the realignment of that intersection.

At 3:00 PM the meeting reconvened at the Quality Inn in Pocatello.

Director's Report. Acting Director Green reported on the findings of the contractor claim resolution procedures. The number of claims that are resolved at and below the State Highway Administrator (SHA) level are quite high, so the procedures do not need to be changed below this level. However, arbitration may need to be added to the specifications for claims that go above the SHA level. Periodic status reports will be presented to the Board.

Regarding snowplowing at Lookout Pass Ski Area, the Board made a decision that ITD would not plow it, and the petitioner will be so informed by staff.

Acting Director Green informed the Board that the Department will be hosting the Western Bridge Engineer's Seminar in 1997. This will not conflict with the WASHTO meeting ITD is also hosting in 1997.

The State is in the middle of discussions on building a new Governor's mansion. The proposed site for this mansion would need an access road built to it. ITD does not have the

October 26, 1993

funds to build this road, and federal funds cannot be used.

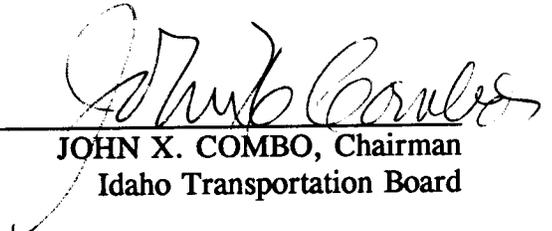
The Department is continuing to work with the locals on the Nampa-Caldwell Boulevard project. Staff is in the process of designing the project.

The draft legislative audit report will be presented to JFAC on October 29.

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. At 4:00 PM, the Board met in executive session with Acting Director Green to discuss personnel matters.

The Board came out of executive session at 4:30 PM. No decisions were made.

WHEREUPON the Board meeting and tour of District 5 officially ended at 4:30 PM.



JOHN X. COMBO, Chairman
Idaho Transportation Board

Read and Approved
November 18, 1993
Lewiston, Idaho

October 26, 1993

REGULAR MEETING AND DISTRICT 2 TOUR
OF THE IDAHO TRANSPORTATION BOARD

November 17-19, 1993

The Board meeting and District 2 Board tour convened at 2:30 PM in Lewiston at the District 2 conference room. The following people were present:

John X. Combo, Chairman - Region 1
Leon E. Smith, Jr., Vice Chairman - Region 2
Mike P. Mitchell, Member - Region 3
Mary F. Detmar, Executive Assistant to the Board
Dwight M. Bower, Director
G. Keith Green, State Highway Administrator
Bob Trabert, Chief Legal Counsel

Welcome to Director Dwight M. Bower. The Board welcomed Dwight M. Bower to the Department. His first day at work was November 15.

New Board Policy, B-07-02, Review of Preliminary Orders in the Issuance of Final Orders and Contested Case Hearings. This policy was created to authorize the Director or ITD delegee to review preliminary orders issued by Department hearing officers that are appealed in accordance with the Administrative Procedures Act.

After making minor revisions, Vice Chairman Smith made a motion to approve B-07-02, Review of Preliminary Orders in the Issuance of Final Orders and Contested Case Hearings. Member Mitchell seconded and the motion carried.

Authority to Condemn, Parcels 131 and 132, IR-84-2(001)50, key 2521, I-84, District 3. Vice Chairman Smith made a motion authorizing negotiations by legal staff and approving condemnation of the subject property if negotiations failed. Member Mitchell seconded the motion and it passed unanimously.

Employee Housing in Hailey. Chief Legal Counsel Trabert told the Board that the Department had attempted to get zoning for four mobile homes at the maintenance shed site in Hailey because employees had been unable to obtain affordable housing. The Planning and Zoning Commission approved only one mobile home at the site. Vice Chairman Smith will discuss the issue with one of the Blaine County Commissioners.

Legal Review of Contracts, Form and Substance. This subject was carried over from the October Board meeting when the Board members asked for an analysis of Legal's review of contracts and agreements. Chief Legal Counsel Trabert indicated that the attorneys have not commented on the wisdom of a contract, only on the legality of its content. The Board members are looking for a legal review of the contract to be without limitations, and asked the Director to sort out any differences and revisit the subject in December.

November 17, 1993

Contract Claims. A discussion on alternate dispute resolutions (ADR) ensued and Chief Legal Counsel Trabert was asked to draft additional language that ADR may be accomplished by agreement of the parties involved. The proposal will be reviewed at the December meeting.

Executive Session on Legal Issues, Section 67-2345(f), Idaho Code. At 3:35 PM, the Board met in executive session to discuss legal issues.

The Board came out of executive session at 4:00 PM. No decisions were made.

WHEREUPON the Board meeting recessed at 4:00 PM.

November 18, 1993

The Transportation Board meeting reconvened at 8:40 AM on Thursday, November 18 at the University of Idaho Student Union Building, Moscow. All members were present.

October 1993 Board Minutes. The minutes of the October 25-26, 1993 Board meeting were approved as revised without objection by the Board members.

Board Meeting Dates. The following meeting dates were scheduled by the Board:
December 16-17, 1993 - Boise
January 27-28, 1994 - Boise
February 24-25, 1994 - Boise

Delegation - Moscow City Officials and Citizens' Advisory Committee. Mayor Agidius told the Board that two projects - A Street and the south end of the US-95 couplet - were on the city's agenda. He thanked the Board for work on the north end of the US-95 couplet and for the upcoming public hearing on the widening of SH-8 from Line Street to the Washington state line.

City Councilman Hodges said that A Street parallels SH-8 and is needed to provide another east-west arterial. The project is ready to go except the funding.

JoAnne Reese chaired a citizen's advisory group created by the City to look at a new transportation strategy at the south end of Moscow. The group employed a public participation process to develop goals and ideas for a long-term solution. The committee did not consider a bypass of the city to be feasible as a short-term solution for handling local traffic.

Board members asked staff to review the proposed concept for an intersection at the south end of the couplet as presented by the committee. The proposal should be considered on a broad perspective before further refinements are made.

November 18, 1993

ITD-funded Program and Projects at the University of Idaho (UI). Dr. Peavey, Chairman of the Civil Engineering Department, described their function - besides education - as one of service, outreach and research. He distributed a list of projects funded by ITD since 1988. The University also houses the National Center for Advanced Transportation Technology recently authorized by Congress. UI also is a member of the Idaho Transportation Consortium along with ITD, Idaho Nuclear Engineering Laboratory and FHWA. Dr. Peavey appreciated the opportunity for students to work on programs and projects for ITD and looked forward to a continuing association.

Tillie Creek Landslide and Mt. Idaho Grade Slump. Dr. Bennett heads a special program at the University of Idaho: the Idaho Geological Survey. Board Member Mitchell recently asked him to look at the Tillie Creek slide that had closed part of SH-14. Dr. Bennett's photo slide presentation clearly showed the reasons for the landslide. Documentation of the study is on file in District 2.

From Moscow, the tour members drove to Genesee for lunch then continued on to Lewiston where the Board meeting resumed at 1:35 PM in the District 2 conference room.

Consent Calendar. The following items on the consent calendar were unanimously approved by the Board:

1) Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

IM-IR-90-1(123)41, key 1900 - Shoshone County Line to Pine Creek, I-90, Shoshone County, District 1. Low bidder: Inland Asphalt Company, Spokane, Washington - \$1,967,444.05.

ST-2390(638), key 5631 - Flying Heart Turnbay, N. of Hailey, Blaine County, District 4. Low bidder: Lakeside Industries AJV, DBA Valley Paving, Bellevue, Idaho - \$306,630.00.

UST-41400, UST-41200, & UST-41300, keys 4896, 4909, & 4908 - Underground Storage Tanks (UST) at Fairfield and Rupert, UST at Hailey, & UST at Carey; Blaine, Camas, & Minidoka Counties, District 4. Low bidder: Leonard Petroleum Equipment, Twin Falls, Idaho - \$202,881.58.

IM-86-2(011)45, key 5106 - Igo to Arbon Valley, I-86, Power County, District 5. Low bidder: Robert V. Burggraf Company, Inc., Idaho Falls, Idaho - \$2,621,400.80.

2) Board Policy B-09-11, Scenic and/or Historic Byways. The Board and Administrative policies were created to address the authority and procedures for evaluating and establishing scenic and historic byways on the State Highway System.

3) Professional Agreements. The amount paid for engineering consultant agreements during October was \$255,863.80, and the general consultant agreements equalled \$118,191.00, for a grand total of \$374,054.80.

4) Quarterly Report on Bad Checks. During the third quarter, Motor Vehicle Accounting processed \$12,157,907.19 in checks. Of those checks processed, \$5,102.20, or .042% were returned for collection. Of the total outstanding returned checks, Motor Vehicle Accounting collected \$7,649.12 and the collection agency collected \$990.09.

5) Out of state travel report.

Briefing by Jim Pingree, Chairman of the Governor's Motor Carrier Advisory Committee (MCAC). Chairman Pingree outlined the committee's significant progress over the past several years. He offered the services of committee members to review ITD proposals for impact on the trucking industry. He also said they would be glad to look at the quarterly report of bad check writers to find out if any of those listed were known to MCAC members. The Board asked staff to research and report on Pingree's question about the status of using credit cards for paying truck registration. He considered the method used to pay the federal use fee tax to be efficient and suggested the state consider a similar program. Another suggestion was to have the Idaho Motor Transport Association (IMTA) Director, Paul Sudmeier, or IMTA's legislative committee, meet with the Board to discuss proposed legislation and areas of mutual interest.

Delegation - City of Lewiston Public Works Director. Director Van Stone and a Potlatch representative, Jim McAdoo, met with the Board to talk about improvements to East Main to accommodate truck traffic to the Potlatch mill. Van Stone wants to see a comprehensive plan from ITD on changes to the Memorial Bridge before scheduling work on East Main. Member Mitchell said that any major improvements to the bridge were not planned soon and any project on East Main should proceed.

Van Stone also discussed a proposal to build a new route along the north side of the Clearwater River from 31st Street North to the Memorial Bridge. That project is an effort to relieve congestion on US-95. The intersection of 31st Street and US-95 also needs modification to allow ingress and egress of trucks from the truck stop area.

The Board members asked staff to review the proposed 31st Street modification and identify the availability of funding.

Meeting with Joe Wyllie, Division of Environmental Quality (DEQ), Department of Health and Welfare. Mr. Wyllie is the regional representative from DEQ and was asked by the Board to discuss air quality issues in the area. He felt fortunate that District 2 is in attainment. In 1986 short-term tests showed elevated carbon monoxide readings in Moscow and Lewiston. In some circumstances, those areas could be in violation of the Clean Air Act. A 1993 study was funded to analyze air quality near the pulp and paper mills. Wind and

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train dust, wood stove smoke and pulp/paper mill emissions contribute most to high readings.

Contract for Update of Local Road Jurisdiction Manual. Local road jurisdictions do not have the resources to keep up-to-date with the changes in rules/regulations and laws that affect their day-to-day operations. The Idaho Technology Transfer (T2) Center has funded three projects over the last 2 years in the area of Idaho Laws and State and Federal Rules/Regulations.

The T2 Center would like to retain the services of a contractor to collect Idaho laws and federal and state rules/regulations that affect local road jurisdictions as they are updated. This information would then be printed annually as updates to the previously printed "Code" manual and "Rules and Regulations" manual. The contractor would also compile the information into electronic media and distribute this information for use with the computer software program. The proposed contract would be for one year and could be extended an additional three years provided services furnished meet with approval of the T2 Center. The estimated contract amount is expected to be approximately \$26,000. The source of funding for the project is federal Local Technical Assistance Program funds with the local match provided from the local agencies' share of Highway Trust Funds.

Without objection, the Board approved the continuation of the Idaho T2 Center project to provide a simplified source of laws, rules and regulations for local road jurisdictions and authorized the preparation of a request for bids.

The Board also asked staff to send the request for proposals to the University of Idaho's engineering department. Staff should also consider the advantages and disadvantages of a state agency performing the service rather than an outside consultant. The Board also questioned if a conflict of interest existed if the consultant was an employee of the Idaho Association of Highway Districts.

Briefing by Chairman Jack Marshall, Idaho Traffic Safety Commission (ITSC). Chairman Marshall complimented the professional staff within the Office of Highway Safety. The ITSC is successful due to its diversification of membership. He explained the process of reviewing and awarding grants for the three federal programs in Section 402, State and Community Highway Safety Grant Program; Section 408, Alcohol Traffic Safety Incentive Grant Program; and Section 410, Drunk Driving Prevention Program Incentive Grants.

Increased 1994 Funding Apportionment for Public Transportation. The Division of Public Transportation received increased funding levels in each of the programs administered through passage of the 1994 reallocation bill. The additional funds, amounting to \$1,051,110, are as follows:

Section 9	\$691,619
Section 8	\$13,050
Section 26(a)	\$3,625
Section 16	\$40,608

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Section 18 \$302,208

Sections 8, 26(a), and 9 are determined by formula, so the Department does not have input as to where these increases will be placed at the state and local levels. ITD has discretion to determine where the increased funding in the Section 16 and 18 programs will be placed. After a conference call with Public Transportation Advisory Council members to receive input, and a meeting with all Section 16 and 18 transit providers, it was determined the best use for the increased Section 16 funding is to grant it to those 1994 applicants whose requests could not be fully funded. And the Section 18 funds should be placed into the Base program. Fifteen percent will be used for Intercity transportation as required by law, and the remaining amount would be divided among the grantees based upon the current base funding formula.

Member Mitchell made a motion, seconded by Vice Chairman Smith, to approve the distribution of the FY94 Section 16 and 18 funding increases as requested. The motion passed unanimously.

The Board members also reviewed the goals and objectives of the Public Transportation Advisory Council, as shown in Exhibit 100, which is made a part hereof with like effect.

Idaho Traffic Safety Commission (ITSC) Vacancies. The Board revisited the subject of ITSC and three upcoming vacancies on the Commission. The Board asked staff to look at providing geographical balance and adequately representing the constituency.

Visitor Center Funding. SHA Green met with the Parks and Recreation Director and the Commerce Director to discuss funding of visitor centers at rest areas. The FY94 agency budgets contained a \$50,000 contribution from Parks, \$25,000 from ITD and \$25,000 from Commerce. Board members asked staff to look at statutes and Supreme Court rulings as they relate to using highway funds for visitor centers.

Financial Control Supervisor Position. SHA Green announced that the Chief of Administration would be interviewing the five candidates on the register soon. The Board asked for his recommendation prior to selection.

Out-of-state Travel Summary. SHA Green shared with the Board a summary of all out-of-state travel by employees. His goal is to have the Board only review the travel budget once annually, then look at only those trips that were unbudgeted. The Board asked for some additional information on the report, but thought the idea was valid.

Whereupon the Board meeting recessed at 5:00 PM.

November 18, 1993

November 19

The tour group left Lewiston at 8:00 AM and drove US-95, a local highway, SH-162, SH-62 and US-12 to Orofino. On the way, the Board saw recently-completed projects at Lawyer's Canyon, Craigmont, and Ferdinand. A bridge replacement project in Kamiah will be the subject of public hearings next year.

Meeting with USFS Supervisor. Jim Caswell recently assumed the position of Clearwater Forest Supervisor. The Board asked for an appointment to discuss highway projects and materials sources on US-12. Caswell indicated a willingness to meet with Director Bower and Acting District Engineer Van Over and drive US-12, and identify proposed safety improvements, a long-range need for material sources and long-range planning for the entire corridor. He suggested that the six issues contained in the "US-12 Corridor Highway Improvement and Maintenance Strategy and Implementation Guidelines" be revisited and prioritized. He further believed that bicycle paths should be considered for safety, emergency response for hazardous materials spills needs to be identified, and the public must be engaged in problem solving and reaching solutions.

From Orofino, the tour traveled on US-12 and US-95 to Lewiston where the Board meeting resumed in the District conference room.

Delegation - Riggins Mayor. Mayor Burton and two local residents met with the Board to request reduced speed limit through town, and caution lights at the crosswalks to warn motorists of pedestrian traffic. The Mayor also wanted the existing speed limit area moved south on US-95 about three blocks. He recognized that curbs and sidewalks would be built when US-95 is reconstructed. One of the residents asked the Board to reduce the speed limit from 55 to 35 at the intersection of Seven Devils Road south of town.

The Board asked the District staff to evaluate the suggestions and report to the Board.

Public Involvement Meetings. EAB Detmar reported that the public information meeting on Nampa-Caldwell Boulevard was well attended and a few property owners were unwilling to donate the right-of-way necessary to widen the road. The majority of those attended urged the Department to make the improvements as soon as possible.

The Department conducted two public information meetings in the Wood River Valley immediately prior to Ketchum and Sun Valley City Council hearings. The meetings were held by the Department to inform the public about proposed safety improvements to SH-75.

State Highway Administrator's Report. SHA Green reported on carry-over items from his Acting Director's role. The legislative auditors have completed their study of the Department's fiscal compliance. Cash operations were audited for FY91 and FY92. Board members received a copy of the eight audit recommendations that are currently being discussed by the auditors and Department staff.

November 19, 1993

The Secretary of State established a motor voter registration advisory group. Driver Services Manager Caviness is a member of that group and advises members of impacts on Department operations.

Aeronautics Administrator Cooper has formed a committee to produce guidelines for travel coordination using the state aircraft pool. One option would be to have a travel agency representative at the Aeronautics Division to handle all commercial reservations as well.

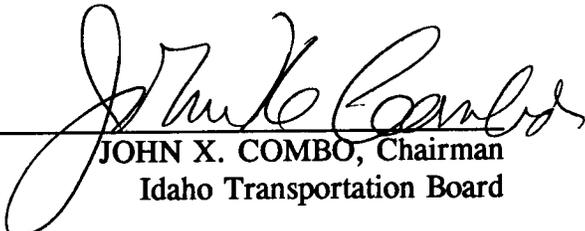
In September the Board asked that the agenda item requesting a consultant to design I-84, Juniper rest area to Utah State Line, be reconsidered. SHA Green advised the Board members that District 6 will design this project for District 4.

The management consultant working with Registration Services personnel has almost completed his review and will make recommendations to management soon.

Sanctions have been imposed on 26 states who have not adopted a mandatory motorcycle helmet law. Idaho Governor Andrus has been advised that Idaho is one of those states. Highway construction funds amounting to \$1.1 million will be transferred to Section 402. The Board asked staff to draft a letter for the Board members' signature advising the Chairmen of the Senate and House Transportation Committees of this situation.

CMAQ Projects. Board members expressed concern about the status of CMAQ projects and asked staff to send a letter to project sponsors offering assistance to keep projects moving. Those sponsors also should be advised of the possibility that funds could be transferred to any area of the state that is declared a non-attainment area.

WHEREUPON, the Board meeting and tour of District 2 adjourned at 5:00 PM.


 JOHN X. COMBO, Chairman
 Idaho Transportation Board

Read and Approved
 December 16, 1993
 Boise, Idaho

November 19, 1993

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 16-17, 1993

The regular session of the Transportation Board meeting convened at 8:00 AM in Boise, Idaho in the Transportation Building. The following people were present:

John X. Combo, Chairman - Region 1
Leon E. Smith, Jr., Vice Chairman - Region 2
Mike P. Mitchell, Member - Region 3
Mary F. Detmar, Executive Assistant to the Board
Sue S. Kaufman, Administrative Secretary to the Board
Dwight M. Bower, Director
G. Keith Green, State Highway Administrator
Bob Trabert, Chief Legal Counsel
Jeff Stratten, Public Affairs Officer
Jack T. Coe, Division Administrator - Federal Highway Administration

Delegation - Jim Stravens, Consultant for City of Post Falls. Mr. Stravens distributed a revised copy of the state highway route analysis of Pleasant View Road, as prepared by J.P. Stravens/Planning Associates, Inc. and J.U.B. Engineering. Because of the tremendous growth in the area, local public agencies, developers, planners, and citizens are asking for an extension of Pleasant View Road north of Seltice Way to SH-53, and adding this route to the state highway system. According to Mr. Stravens, the route would be built to state highway standards. Although the Post Falls Highway District is willing to take over maintenance of SH-41 in exchange for adding Pleasant View Road to the state's system, the City of Rathdrum opposes the removal of SH-41 from the state highway system. Mr. Stravens added that the Highway District is willing to work with the Department on this issue.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to direct staff to point factor Pleasant View Road to determine its eligibility for addition to the state highway system. The Board also requested information on what the local public agencies are doing to ease traffic flow, and verification of the average daily traffic counts. Staff will report back to the Board when this information is available. The motion passed unopposed.

Note: This subject was revisited later in the day. See additional minute entry.

Delegation - Don Galligan, Bannock Planning Organization (BPO). At the October meeting, Mr. Galligan asked the Board to consider the addition of US-30/I-15B to the National Highway System (NHS). The request was deferred until staff could determine what the impact to ITD would be and what precedent the Department would be setting if this route is added to the NHS. Also, Mr. Galligan was to provide a list of businesses that would be impacted by this addition.

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Staff determined there would be no fiscal impact by adding the route, because funding is not tied to NHS mileage at this time. Also, precedent had been set for adding other routes to the NHS when US-89 was added.

According to Mr. Galligan, there is strong support for the addition of US-30/I-15B to the NHS for the following reasons: the NHS will be the focus of the future; the NHS is an essential link between modes; it is critical for handling rapid growth; it would be Pocatello's link to the North American Free Trade Agreement; and there won't be another opportunity to add routes to the NHS until 1997 when the ISTEA will be reviewed.

Chairman Combo said the Secretary of Transportation sent the NHS package to Congress earlier this month, so we would need to work through Congress. Director Bower expressed concern that the more changes we ask for in the NHS since the Secretary submitted the package, the more problems we'll encounter with Congress passing it. He added that Idaho is fortunate the Secretary recommended approving all of Idaho's requested NHS miles, because many states did not receive all of their requested miles.

The timeliness of the issue was discussed. Member Mitchell suggested waiting to see how Congress reacts to the NHS before the Board takes a firm position on this addition. The hearings are scheduled to start in the end of February, 1994. Chairman Combo told Mr. Galligan that the Board would like to help BPO, but the timing isn't right. By motion, the Board took no action, but asked Director Bower to write to Bannock Planning Organization explaining the Board's rationale.

Consent Calendar. The following items on the consent calendar were unanimously approved by the Board:

1) Bids. The Board acknowledged action of the Construction Engineer in accordance with Board Policy B-04-01 on the following construction bids:

ST-5110(620), key 5453 - Downtown Sandpoint, Bonner County, District 1. Low bidder: Fix It Fitz Construction, Inc., Sandpoint, Idaho - \$434,982.40.

ST-4110(625), key 5629 - Lewiston P.O.E. to 21st Street, Lewiston, US-95, US-12, and SH-128, Nez Perce County, District 2. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$1,198,651.07.

ST-6350(610), key 5353 - North Fork, South, US-93, Lemhi County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,866,969.70.

STP-RS-3712(008), key 0135 - E. Greenleaf to Simplot, Caldwell, SH-19, Canyon County, District 3. Low bidder: Western Construction, Inc., Boise, Idaho - \$2,388,364.99.

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STP-NH-84-1(028)46 and NH-STP-84-1(029)44, keys 5402 and 5403 - Eagle Road IC to Wye IC, and Meridian IC to Eagle Road IC, I-84, Ada County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$7,616,245.05.

STP-RS-2854(002), key 3298 - 500 South Road - Declo, SH-77, Cassia County, District 4. Low bidder: Bannock Paving Company, Inc., Pocatello, Idaho - \$1,393,640.25.

STKP-5566, STKP-5550, and STKP-5551, keys 5267, 4351, and 4352 - Pocatello, American Falls, and Coldwater, Bannock and Power Counties, District 5. Low bidder: Hunziker Construction Company, Pocatello, Idaho - \$497,655.80.

2) Authority to acquire property valued over \$100,000. Project NH-F-5121(019), key 0717, parcel 74, US-2, District 1.

3) Request for condemnation. Project IR-F-5116(071), key 4458, Parcel 43, US-95, District 1.

4) Sign status report for November 1992 through October 1993.

5) Professional Agreements. During November 1993, \$73,805.57 was paid for engineering consultant agreements, and \$19,246.00 for general consultant agreements. The grand total for the month equalled \$93,051.57.

6) Out of state travel report.

November 1993 Board Minutes. The minutes of the November 17-19, 1993 Board meeting were approved as revised without objection by the Board members.

Cost Allocation Study, SCR118. A meeting will be held on January 19, 1994 for a final presentation of study results. Member Mitchell expects these results to be presented the following day to the Legislature.

Recess. The Board recessed at 9:15 AM while Vice Chairman Smith attended another appointment. Chairman Combo, Member Mitchell, and staff toured the new addition of the Operations Annex and conversed with employees.

The Board meeting reconvened at 10:30 AM with all three members present.

Joint Senate and House Transportation Committee Meeting. Chairman Combo said a joint meeting with the Senate Transportation Committee and the House Transportation and Defense Committee has been arranged for January 20, 1994 at 1:30 PM. This will be an opportune time to introduce Director Bower to the committee members and provide a summary of ITD's activities and goals.

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Update to Board Policy B-01-09, Authority to Sign Contracts, Agreements and Grants and their Registration. Vice Chairman Smith made a motion to approve B-01-09 as amended. Member Mitchell seconded and the motion carried.

Summary of Pending Legal Cases. Chief Legal Counsel Trabert briefed the Board on pending legal cases. Vice Chairman Smith made a motion, seconded by Chairman Combo, to ratify the action of Chief Legal Counsel Trabert on ITD vs. IPC. The motion carried.

Aeronautics Annual Report. Aeronautics Administrator (AA) Cooper provided a brief history of the Division of Aeronautics, which was formed in 1929. He continued with a recap of activities during FY93, the mission, budget, goals for FY94, and long-range goals. AA Cooper especially appreciates the good working relationship the Division has, not only with the Aeronautics Advisory Board, but also with the Transportation Board.

Briefing of Roadway Design Functions. Roadway Design Engineer Sorensen summarized the design process of a typical project, starting in Preliminary Development and ending with construction. He said that Idaho is on the leading edge with its design standards, and ITD relies heavily on Computer-Aided Drafting and Design equipment. One of the biggest challenges the Department is facing, according to Mr. Sorensen, is converting to metrication by September 1996.

The Board members thanked Mr. Sorensen for the informative presentation.

Delegation - Attorney Tom Arkoosh. Mr. Arkoosh is representing Ms. Wilson, who signed a warranty deed in 1968 for parcels 22 and 22 1/2 acquired for I-84 at the US-20 interchange by Mountain Home. When ITD purchased the land, a stipulation included that the premises conveyed by the deed shall be used for a park, recreation and rest area. The restrictions and covenants were to remain in effect for forty years or by agreement from both parties.

In 1985, ITD asked Ms. Wilson to waive the restrictive clause. She was not willing to waive the clause, but expressed interest in purchasing the land at public auction. No further action was taken until 1992 when the City of Mountain Home requested to lease a portion of the site for a tourist information center.

Mr. Arkoosh is now proposing that the land be surveyed and equally split between Ms. Wilson and ITD because ITD promised to build a rest area and having failed to do so, the deed should be void.

Chairman Combo said the Board is aware of the history and information and will get back to him after discussing the issue further with ITD's legal counsel.

Pleasant View Road Proposal Revisited. District One Engineer Baker provided a briefing on this requested project, discussed earlier in the day. He included advantages and

December 16, 1993

disadvantages of the proposed extension of Pleasant View Road and addition to the state highway system. DE Baker also conveyed the City of Rathdrum's opposition to the removal of SH-41 from the state highway system.

Coeur d'Alene Lake to Higgins Point. Yvonne Ferrell, Director of Parks and Recreation, was present for this discussion. DE Baker provided a brief history of this project on old I-90. He also shared sketches of the proposed trail and rest area facilities. A draft agreement between ITD and the Department of Parks and Recreation was reviewed by the Board. After Parks and Recreation reviews the agreement, it will be presented to the Board for approval.

Board Meeting Dates. The following meeting dates were scheduled by the Board:
January 20-21, 1994 - Boise
February 24-25, 1994 - Boise

WHEREUPON the Board meeting recessed at 4:40 PM.

December 17, 1993

The Transportation Board meeting reconvened at 8:00 AM on Friday, December 17. All members were present.

Member Mitchell reported on the Deinhard Lane/McCall alternate route.

Director's Report. Director Bower met with the new director of the Associated General Contractors (AGC). Some of the topics discussed included partnering, ISTEA, alternative dispute resolution, the Disadvantaged Business Enterprise program, and developing a joint meeting between ITD and AGC. This meeting would be held on a regularly scheduled basis to discuss items of interest and to keep the lines of communication open.

Regarding the status of the National Highway System, Idaho received all of its requested miles.

Director Bower made a presentation at a Department of Transportation Round Table workshop in Seattle and also served on a discussion panel regarding the implementation of ISTEA. He thought it was a very beneficial trip and an excellent opportunity to network with other personnel in Region X.

The Governor is planning to support legislation of a road use fee for vehicles not purchased through a dealer in Idaho which have a foreign title being changed to an Idaho title. These funds would be designated to Idaho State Police.

December 17, 1993

Director Bower met with Division of Financial Management personnel to discuss funding for staffing visitor centers. The Governor supports using money from the General Fund for this staffing. ITD will also continue to look at the statutes to ensure the constitutionality of using highway distribution funds for staffing visitor centers.

The out-of-state travel report will no longer be prepared on a monthly basis. Staff will prepare an annual budget of travel for the Board's approval.

A request from the U.S. Department of the Interior to designate the old US-95 at White Bird Canyon as a National Scenic Byway has been received. However, the National Scenic Byway program has not been completed or approved by Congress yet, so this request is premature. Franklin Walker, Superintendent, will be so notified.

An economical analysis on flying versus driving for state business has been developed. Because there are numerous variables, each case needs to be handled individually. The Board appreciated this information, and encouraged employees to use state airplanes.

ITD's budget presentation to the Joint Finance and Appropriations Committee has been scheduled for February 3, 1994. Staff is working on information for this meeting, and will discuss it in more detail at the January Board meeting.

Authority to Acquire Property, Project O-STP-5120(101), Key 5413, Parcel 1, US-2, District 1. The Board deferred this item until the January meeting so staff could provide additional information on the subject property.

Right-of-Way Presentation. Right-of-Way Manager Hill provided an overview of right-of-way activities for a highway project. The Board members appreciated the presentation and gained a better understanding of the right-of-way procedures.

ISTEA Planning Requirements. Now that the Department has experienced a year of obtaining public input on transportation issues as required by ISTEA, Chairman Combo asked for an overview and ideas for the coming year.

Staff has reviewed the process used this past year, according to Chief of Transportation Services Jerry Dick, and is working on activities for 1994. An outline and recommendation to the Board is being planned for the January meeting.

Mandatory Motorcycle Helmet Legislation. The eligible activities for the transferred 402 safety funds were discussed. The Department will analyze the desirable projects and report back to the Board at the appropriate time.

CTS Dick said the Office of Highway Safety is planning to keep the transferred funds separate from the regular 402 safety funds, but the same process will be used to solicit projects. Member Mitchell made a motion for staff to include in the Highway Safety Plan, a

December 17, 1993

needs survey on existing emergency medical service equipment and training conditions in Idaho. Chairman Combo seconded and the motion passed unanimously.

The Board members believe ITD should be a strong advocate for mandatory helmet legislation, not only for economical reasons, but also for the safety factor. Director Bower will work on a coalition for such legislation, with the Department being a strong supporter.

Appointments for Idaho Traffic Safety Commission (ITSC). Three appointments to the ITSC will expire on January 31, 1994. These three members were contacted and expressed a desire to continue serving on the Commission. Vice Chairman Smith made a motion, seconded by Chairman Combo, to reappoint Colonel Moore, Captain Marshall, and Mr. Baker to the Idaho Traffic Safety Commission for an additional three-year term, to expire on January 31, 1997. The motion passed unopposed.

Staff is also to study the process of filling these vacancies, and revisit the categories and geographical representation prior to any consideration of the 1995 appointments.

Public Transportation Division Administrator Position. The Personnel Commission is in the process of point-factoring this position. Chief of Administration Transtrum said he plans to use a broad advertising approach to fill the vacancy. The Public Transportation Advisory Council will be involved with the interview process.

Delegation - City of Eagle. Representative Bivens expressed concern that SH-55 (Eagle Road), from Chinden to the Eagle Alternate Route, was dropped from the highway development program. He thinks by not completing this project, the emergency response will be affected, and traffic will be greatly restricted.

Eagle Mayor Guerber thanked the Board for the opportunity to discuss this project. He emphasized the rapid growth the area is experiencing, including a couple of subdivisions and a school planned for that stretch of highway. He believes this project would provide an adequate infrastructure to deal with the growing needs of the area, not only in the City of Eagle, but in the County. Senator Bunderson added that work is being done to encourage car pooling and the use of public transportation.

Some options for this one-mile project, according to District Three Engineer Meyer, include adding it to key 2793, Eagle Road, Fairview to Chinden, scheduled in FY97, or place it in Preliminary Development. The SH-55, Chinden to Eagle Alternate Route project is estimated to cost \$2.6 million.

Chairman Combo realizes the need for this project, but stressed that funding is an issue. He reminded the group that all projects statewide will be reviewed in September when the Highway Development Program is approved, and this project will be considered at that time.

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Membership to the Regional Public Transportation Advisory Committees (RPTAC). Vacancies currently exist in Districts 1, 3, 4, and 6 for the RPTAC. The Public Transportation Advisory Council (PTAC) recommended David Sawyer and Debbie Webster to fill the vacancies in Districts 1 and 6, respectively. The PTAC is in the process of selecting nominees for Districts 3 and 4, and is planning to have those replacements to the Board for approval at its January meeting.

Vice Chairman Smith made a motion, seconded by Member Mitchell, to appoint David Sawyer as the District 1 representative and Debbie Webster as the District 6 representative to the RPTAC. The motion carried.

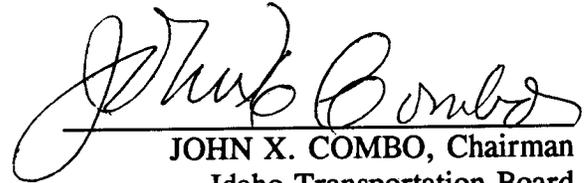
Discussion followed on the geographical location of committee members. Chairman Combo stated that Annette Lee, Public Transportation Advisory Council Chair, stressed the importance of specialty areas rather than geographical location for representation of members.

Single Unit Replacement. Member Mitchell requested a rationalization for single unit truck replacement. He believes equipment replacement should be considered on a needs basis by District, so would like an analysis on single unit replacement.

Executive Session on Legal Issues, Section 67-2345(f), and Personnel Issues, Section 67-2345(b) Idaho Code. At 2:30 PM the Board met in executive session to discuss personnel matters and legal issues.

The Board came out of executive session at 4:00 PM. No decisions were made.

WHEREUPON, the regular monthly Board meeting officially adjourned at 4:05 PM.


 JOHN X. COMBO, Chairman
 Idaho Transportation Board

Read and Approved
 January 21, 1994
 Boise, Idaho

December 17, 1993